

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005
AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS)
ORDINANCE, 2007

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Erect 1.5 storey tractor store to south-east of site (retrospective).

LOCATION: St Vincent, Route De La Mare De Carteret, Castel.

APPLICANT: Mr Holland Mr Nobes & Mr Perry

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

Date of Grant of Permission: 21/03/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/02/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP Architecture - 3070 SK-01 (2) B, SK-02 (2) B, SK-03 (2) A

Application Ref: FULL/2025/0173

Property Ref: D01874B001

Conditions and reasons:-

1.All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2.The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter

period as may be specified in the permission).

3.The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4.Prior to the commencement of any work in connection therewith a landscaping scheme, to include those details specified below, shall be submitted to and agreed in writing by the Authority:

- i) details of the access driveway/hardstanding to the west of the building;
- ii) full details of tree and hedge planting to the south and east site boundaries;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants;
- iv) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - In order to help assimilate the development into its surroundings.

5.The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To help assimilate the development into its surroundings.

6.For the avoidance of doubt, this decision permits the erection of a domestic outbuilding only, to be used as an integral part of and incidental to the principal dwelling presently known as St Vincent. It does not permit the creation of a separately occupied annex or an independent dwelling.

Reason - Permission is granted in relation to the proposed use of the building as ancillary accommodation in connection with an established domestic house. The use of the building for any other use would need to be assessed under different Planning

Policies.

Expiry Date: This permission will cease to have effect on 20/03/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the erection of a domestic outbuilding only, to be used as an integral part of and incidental to the principal dwelling presently known as St Vincent. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

Effect of planning permission:

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

- (1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).
- (2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.
- (3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.
- (4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.
- (5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

Right of appeal against planning decisions:

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey.

An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision. The official Appeal Notice Forms are available on the States of Guernsey website at www.gov.gg/planningpanel and must be completed with all enclosures in multiples as requested and received within the six months deadline.

Copy of representations made:

In reaching this decision the Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

Other Remarks:

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services (highways@gov.gg) for further advice. You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with their requirements.

This document is not a Building Licence and confers no approval under the Building Regulations.

A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2025/0173
Property Ref: D01874B001
Valid date: 07/02/2025
Location: St Vincent Route De La Mare De Carteret Castel Guernsey
GY5 7XD
Proposal: Erect 1.5 storey tractor store to south-east of site
(retrospective).

Applicant: Mr Holland Mr Nobes & Mr Perry

RECOMMENDATION - Grant: Planning Permission with Conditions:

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

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Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

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Reason - In order to help assimilate the development into its surroundings.

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Reason - Permission is granted in relation to the proposed use of the building as ancillary accommodation in connection with an established domestic house. The use of the building for any other use would need to be assessed under different Planning Policies.

INFORMATIVES

For the avoidance of doubt, this decision permits the erection of a domestic outbuilding only, to be used as an integral part of and incidental to the principal dwelling presently known as St Vincent. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

OFFICER'S REPORT

Site Description:

The application site comprises a substantial detached dwelling situated well back from Route de la Mare de Carteret behind frontage development and served by a lengthy, tree-lined driveway. Ground works have commenced in relation to the proposed outbuilding which is situated to the south of the site and adjacent to the access driveway.

The site is located Outside of the Centres and is the subject of no other designation under the Island Development Plan.

Relevant History:

FULL/2016/0015 - Convert existing outbuilding into separate unit of accommodation with associated car parking and landscaping – granted

FULL/2016/1501 - Erect a dwelling – granted

FULL/2016/2842 - Change of use of agricultural land to domestic garden – granted

FULL/2017/0331 - Re-position previously approved new dwelling under (FULL/2016/1501) to south of site – granted

FULL/2018/2402 - Demolish existing dwelling and store and erect new dwelling and store. Erect gate to south of property – granted

FULL/2020/0690 - Demolish existing and erect replacement two-storey dwelling (revised scheme) – granted

FULL/2021/1421 - Erect a 1.5 storey tractor store to south site boundary – granted

FULL/2021/2622 - Erect 1.5 storey garage/home office/dower unit to north west boundary – refused

FULL/2022/1539 - Erect 1.5 storey garage/home office/dower unit to north-west boundary (revised scheme) – refused

Existing Use(s):

01 dwellinghouse

Brief Description of Development:

The application relates to the erection of a large detached, pitched roof outbuilding with timber clad exterior and slate roof. The building is described as being a tractor

store with storage above served by rooflights. Two pairs of double garage doors are proposed in the front/west elevation whilst two single garage doors are proposed in the east elevation. Ground floor windows are proposed to all elevations along with rooflights to both the east and west roofslopes. The application is retrospective as the concrete slab has been formed.

The building falls with the wider site for St Vincent and within its domestic garden area, evidence of which has been provided and confirmation provided that the building will be used for purposes ancillary to the main house.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

Island Development Plan policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Representations:

Four letters of representation have been submitted from a number of concerned local residents objecting to the application and raising the following points:

Character of the locality

- The building is visible from Mare De Carteret Road and is totally out of character with other properties in the area contrary to Policies GP1, GP13, GP8 and general material planning considerations
- It is far too large to be a shed
- SP1 sets out that the majority of new development should be focused in the Main Centres and Main Centre Outer Areas to maintain the vitality of these areas
- The proposal does not comply with Policy GP1 as it would detract from the open character of the location

Residential amenity

- The building will result in disturbance and have a significant detrimental impact on neighbours being so close – it does not comply with Policy GP13
- The use of the building will result in noise and disturbance – its position is such that it could allow for commercial use
- First floor windows could affect the privacy of nearby residents

Biodiversity/wildlife

- The removal of mature trees and hedges has had an adverse effect on biodiversity in the area – new hedges are immature and non-native, not suitable for wildlife
- The land should be left for wildlife and not be destroyed for development, without thought for the area or neighbours

- The revised location of the building will impact on the ability to implement the approved landscaping
- Provision should be made within the development for wildlife, for nesting birds and bat roosts – bats were regularly seen on the site prior to development

Other matters

- There has been no justification provided for the proposed building – the house was marketed to exclude this area of land/building
- The building is not 5m from the south boundary it is situated 3.8m from the south boundary
- Ancient drainage systems have been destroyed which could cause flooding to neighbouring properties – this has been overlooked
- This building must form part of St Vincent but there is nothing to prevent this from being separated at a later date and permission sought to convert the building to a dwelling
- Documentation clearly shows the intention for the building to be converted to a dwelling
- There is a fire hazard associated with the wood cladding
- It is clear that the intention is for the conversion of the tractor shed to housing, outside of the Centre will be proposed next

Consultations:

None.

Summary of Issues:

The key issues in this case relate to the design and appearance of the building and its likely effect on the character and appearance of the locality, the potential impact on residential amenity and its proposed/intended use.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

As the planning history sets out, permission has been granted for the erection of a detached outbuilding in the area of the tractor store. Permission has also previously been granted for this proposed tractor store however this permission has now lapsed.

There has been no change in the policies against which an application would be considered nor material change in terms of the site and surroundings.

The application is for a domestic outbuilding to be used for purposes incidental to the enjoyment of the dwelling, St Vincent. This may include but is not limited to use as a games room, ancillary living accommodation, garaging cars, storage etc. This application must be assessed on the basis that the building will be used for domestic purposes, as any other use (e.g. as a self-contained dwelling unconnected with St Vincent or a garage/workshop business) would need to be the subject of a separate application considered against the policies in place at that time.

The building would be situated in a large domestic garden and viewed in the context of existing built development that surrounds the site. It would not be highly visible from public viewpoints in the area due to its siting behind frontage development and would be of a similar height to other buildings close by and will not appear unduly obtrusive in the locality. The proposal represents a good standard of design that respects the character of the local built environment and will not result in harm to any open landscape area in accordance with Policies GP8 and GP13 of the Island Development Plan.

The building will not result in unacceptable overshadowing or loss of light to the occupiers of surrounding dwellings. Window openings are limited at ground and first floor level and overall the development will not result in a loss of privacy to surrounding occupiers. The scheme has considered the health and well-being of neighbours of the development in this respect in accordance with Policies GP8, GP9 and GP13 of the Island Development Plan.

The position of the building has been raised through the public consultation process. The application drawings show the building to be situated 5m from the south site boundary and site visits undertaken by the case and enforcement officers did not identify that the building was situated tight to the site boundary as suggested.

A landscaping scheme was approved in relation to a previous application to redevelop the site, and which is required to be completed before the first occupation of the replacement dwelling. The proposed outbuilding is set away from the site boundaries and would not prevent a landscaping scheme from being implemented. The current proposals appear to indicate a group of 4 trees with associated under planting along the south site boundary which would provide screening of much of the building now proposed. Given that the dwelling has been completed and is occupied it is reasonable to require details of and planting to be undertaken specifically in relation to this proposed building.

In view of the above it is recommended permission is granted.

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 11/03/2025

