

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: Demolish outbuilding and shed and erect single storey garage/outbuilding to south-west of site.

LOCATION: The Lodge, Rue Des Pointes, St. Andrew.

APPLICANT: Mr E BATTERY

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: 20/05/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/02/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Mark Frampton & Company: 2025 / 669 / 02A

Application Ref: FULL/2025/0290

Property Ref: K00242B000

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.The garage/outbuilding shall not be used until such time as the existing garage and shed has been demolished and all ancillary materials, works and structures have been removed from the site.

Reason - To make sure the development takes the form hereby permitted.

Expiry Date: This permission will cease to have effect on 19/05/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the proposed garage/outbuilding to be used only for purposes incidental to the enjoyment of the dwelling house presently known as The Lodge, unless in accordance with a use permitted under the Land Planning and Development (Exemptions) Ordinance, 2023 or any other Ordinance replacing or re-enacting that Ordinance.

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/2025/0290
Property Ref: K00242B000
Valid date: 20/02/2025
Location: The Lodge Rue Des Pointes St. Andrew Guernsey GY6 8UH
Proposal: Demolish outbuilding and shed and erect single storey garage/outbuilding to south-west of site.

Applicant: Mr E Buttery

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).

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. The garage/outbuilding shall not be used until such time as the existing garage and shed has been demolished and all ancillary materials, works and structures have been

removed from the site.

Reason - To make sure the development takes the form hereby permitted.

INFORMATIVES

For the avoidance of doubt, this decision permits the proposed garage/outbuilding to be used only for purposes incidental to the enjoyment of the dwelling house presently known as The Lodge, unless in accordance with a use permitted under the Land Planning and Development (Exemptions) Ordinance, 2023 or any other Ordinance replacing or re-enacting that Ordinance.

OFFICER'S REPORT

Site Description:

The site comprises of a traditional, 2½ storey dwelling and detached garage/outbuilding located to the west of Rue Des Pointes and accessed by a driveway to the north. The site is situated Outside of the Centres.

Relevant History:

FULL/2025/0713 – Application pending to erect single storey extension to west (rear) elevation.

02/10/2024 – FULL/2024/1239 – Permission granted to demolish existing extension and erect single storey extension to west (rear) elevation.

Existing Use(s):

Residential use class 1: dwelling house

Brief Description of Development:

Planning permission is requested to demolish garage/outbuilding and shed and erect a single storey garage/outbuilding. The garage/outbuilding would be finished with timber cladding and a natural slate roof.

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

GP8: Design

GP9: Sustainable development

GP13: Householder development

Representations:

One letter of representation was received in response to the original application, main points as follows:

- The site boundary is incorrect. The Lodge has right of way over but does not own the driveway to the north.
- Concerned that adequate drainage is provided for the size of the outbuilding and to deal with run-off from the hard surfaced area.
- Concerned about different standards for local and open market properties.

Consultations:

None

Summary of Issues:

The main issue in deciding this application is the scale and design of the development and its impact on the appearance and character of the area.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

During the course of consideration concerns were raised about the scale and use of the proposed garage/outbuilding. In response revised plans have been submitted which include a reduction in the footprint of the garage/outbuilding and further information has been provided about the proposed use.

The agent advises that the proposed garage/outbuilding would be ancillary to the domestic use of the dwelling. The applicant collects cars as a hobby and the garage/outbuilding has been designed to contain 6 of the applicant's car collection. The information submitted together with the design and layout of the building and its relationship with the existing dwelling is sufficient to demonstrate that the garage/outbuilding would be ancillary to the existing dwelling, in accordance with Policy GP13.

By virtue of its siting to the rear of the existing dwelling and its single storey nature and modest ridge height, the proposed garage would not form a prominent feature, if visible at all from the public highway Rue Des Pointes. The garage achieves a satisfactory standard of design and is unlikely to have any significant adverse effect on the character and visual amenity of the locality, in accordance with Policies GP8 and GP13.

With regards to the comments in the representation, whether the property is a local or open market property is not a material planning consideration. Due to the scale of the development and the likely limited impact on surface runoff, no further information is required about drainage at this stage, and matters related to drainage would be dealt with under the Building Regulations.

Information has been submitted to demonstrate that the design has taken into account the use of energy and resources, in accordance with Policy GP9.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

It is recommended that the application is approved.

Date: 19/05/2025