

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 detached outbuilding to south-east boundary.

LOCATION: La Rocque, Rue De La Rocque, Torteval.

APPLICANT: Mr & Mrs J Legge

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: 09/07/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/05/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd - 7717-05B1A, B2

Application Ref: FULL/2025/0790

Property Ref: G003960000

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.(a) Notwithstanding the details shown on the approved block layout plan (Ref: 7717-05 B1 Rev A) prior to undertaking the additional planting proposed details of that planting, to include the size, number and density of the plants/trees, shall be submitted to and agreed in writing by the Authority.

(b) The additional planting shall be fully completed, in accordance with the details agreed under the terms of (a) above, 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 make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings and to protect the biodiversity of the site in accordance with the Strategy For Nature SPG.

5.This decision permits the erection of an outbuilding to be used as an integral part of and incidental to the principal dwelling presently known as La Rocque. It does not permit the creation of a separately occupied annex or an independent dwelling.

Reason- To define the permission for the avoidance of any doubt and to ensure that the development takes the form applied for and does not form a separately occupied annex or independent dwelling contrary to Policy OC1 of the Island Development Plan.

Expiry Date: This permission will cease to have effect on 08/07/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

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/2025/0790
Property Ref: G003960000
Valid date: 23/05/2025
Location: La Rocque Rue De La Rocque Torteval Guernsey GY8 OPH
Proposal: Erect 1.5 storey detached outbuilding to south-east boundary.

Applicant: Mr & Mrs J Legge

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. (a) Notwithstanding the details shown on the approved block layout plan (Ref: 7717-05 B1 Rev A) prior to undertaking the additional planting proposed details of that planting, to include the size, number and density of the plants/trees, shall be

submitted to and agreed in writing by the Authority.

(b) The additional planting shall be fully completed, in accordance with the details agreed under the terms of (a) above, 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 make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings and to protect the biodiversity of the site in accordance with the Strategy For Nature SPG.

5. This decision permits the erection of an outbuilding to be used as an integral part of and incidental to the principal dwelling presently known as La Rocque. It does not permit the creation of a separately occupied annex or an independent dwelling.

Reason- To define the permission for the avoidance of any doubt and to ensure that the development takes the form applied for and does not form a separately occupied annex or independent dwelling contrary to Policy OC1 of the Island Development Plan.

OFFICER'S REPORT

Brief Description of the site:

The application site previously comprised a detached single storey dwelling with a large outbuilding to the east and a greenhouse to the west. The dwelling has been demolished following the grant of planning permission for a replacement dwelling at the site (see planning history section of this report). The replacement dwelling is currently under construction but has yet to be completed.

Surrounding the site, the area comprises residential dwellings of mixed building type and design to the north and east with open agricultural land to the south. The site has a pedestrian access from the property onto Rue De La Rocque to the north and a vehicular access to the east.

The site is situated Outside of the Centres as designated in the Island Development Plan.

Relevant History:

FULL/2024/1413	Change of use of agricultural land to domestic garden (1,506sqm).	Granted 12/12/2024
FULL/2024/0139	Erect shed to south boundary.	Granted 06/03/2024

FULL/2023/0979	Demolish existing dwelling, glasshouse and outbuilding, erect replacement dwelling with associated landscaping and parking.	Granted 05/10/2023
----------------	---	-----------------------

Existing Use(s):

Residential – Use Class 1

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

GP8: Design

GP9: Sustainable development

GP13: Householder development

Conclusion/Brief comment:

Planning permission is sought to extend a 1.5 storey detached outbuilding to the southeast boundary of the site.

The proposed outbuilding will comprise a garage and store at ground floor with a gym within the roofspace above. Although generous in terms of its overall scale, the proposed outbuilding is of an appropriate scale, mass and form so as not to detract from the openness of the surrounding area. Furthermore, set within the site with an embankment to the rear (south) the proposal will be seen well in context with the adjacent dwelling and would not negatively impact on the appearance of the surrounding area. The design of the proposal and the materials to be used will be consistent with the proposed dwelling for the site (currently under construction) and in-keeping with the character and appearance of the surrounding area.

Given the position of the proposal and its distance from any neighbouring residential properties, it will not have any significant impact on the amenities afforded by the occupiers with regard to sunlight, daylight or loss of privacy.

Although the floor space of the outbuilding is relatively generous, it is well related to and dependent upon the principal dwelling unit. In addition, the layout of the site and the relationship between the principal dwelling and the outbuilding would not enable the site to be easily subdivided without compromising the amenity of both the outbuilding and the principal dwelling. It is recommended that for the avoidance

of any doubt though, a condition is included on any permission to ensure that the accommodation provided remains ancillary to the main dwellinghouse.

Although as part of the scheme the driveway will be extended resulting in the loss of section of garden area, additional planting is proposed in the form of planted areas to safeguard the biodiversity of the site. Although the types of planting proposed has been shown on the landscape drawing, in the interests of biodiversity and to ensure that appropriate planting at the required densities is achieved, it is recommended that a condition is included for full details of all planting to be submitted to and approved in writing by the Authority.

Confirmation has been received that the proposed development has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9. The proposal also includes the installation of 16 solar panels on the south facing elevation of the roof.

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.

Recommendation:

Grant with Conditions



Date: 08/07/2025