

**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:** Extend and alter to create first floor accommodation and erect single storey extension to north (side) elevation.

**LOCATION:** La Cachette, Rue de la Vielle Mare, Castel.

**APPLICANT:** Mr & Mrs Worthington

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:** 24/11/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/10/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Turnstone Architecture Ltd: 280-02, 05, 06, 07, 08, 09, 10, 11, 12,

**Application Ref:** FULL/2021/2232

**Property Ref:** D00814C000

**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 cill of the rooflight in the east facing elevation of the property hereby approved (serving the hallway) shall be set a minimum of 1.7 metres above the first (finished) floor level and shall be retained as such thereafter in perpetuity.

Reason - To protect the reasonable amenities of neighbouring residents.

**Expiry Date: This permission will cease to have effect on 23/11/2024 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](http://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](mailto: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/2021/2232  
**Property Ref:** D00814C000  
**Valid date:** 20/10/2021  
**Location:** La Cachette Rue de la Vielle Mare Castel Guernsey GY5 7AT  
**Proposal:** Extend and alter to create first floor accommodation and erect single storey extension to north (side) elevation.  
  
**Applicant:** Mr & Mrs Worthington

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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Reason - To protect the reasonable amenities of neighbouring residents.

## **OFFICER'S REPORT**

### **Site Description:**

The property known as 'La Cachette' is a 1970's bungalow with pitched roof and single storey flat roof extension on the rear west elevation. The dwelling is located to the west of the ribbon development along Rue de la Vielle Mare and has a single vehicular entrance from the road to the site. There are neighbouring properties to the north, east and south and open land to the west. The property is located Outside of the Centres as defined in the Island Development Plan.

### **Relevant History:**

There is no relevant history pertaining to this application.

### **Existing Use(s):**

Residential use class 1: dwelling house.

### **Brief Description of Development:**

This application is to extend and alter the dwelling to create first floor accommodation and erect a single storey extension to north (side) elevation.

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

GP8 – Design  
GP9 – Sustainable Development  
GP13 – Householder Development

### **Representations:**

There had been one letter of representation requesting a change to the rooflight on the eastern roof slope, as it may cause overlooking to the nearest neighbours amenity space.

### **Consultations:**

None

### **Summary of Issues:**

- Principle of the development.
- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

### **Assessment against:**

#### **1 - Purposes of the law.**

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

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

Policy GP8 expects proposals to achieve a high standard of design which respects and where possible enhances the character of the environment. It also identifies multi-storey buildings as constituting a more efficient use of land than single storey buildings. GP13 supports development where there are no significant adverse effects on the amenities of neighbouring properties. Both policies provide for a high degree of personal choice on design matters in less sensitive areas (outside of Conservation Areas and not affecting the setting of protected buildings).

The proposals achieve a good standard of design, using materials which complement the existing materials. The rear dormer extensions will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation.

The scale and massing of the proposals are not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it have any impact on any of the immediate neighbours, especially as the front east facing rooflight can be moved up so the cill height is 1.7m from first floor level, which will prevent any overlooking.

Policy GP9, Sustainable Development, seeks to ensure all new development takes into account the use of energy and resources and any adverse impacts on the environment. There has been sufficient information provided with the application to comply with the requirements of this policy.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application. Where relevant the issues are considered in section 2 above.

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

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

For the reasons set out within this report, it is recommended that planning permission be granted, subject to conditions.

**Date:** 19/11/2021