

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: Raise and alter roof height and erect single storey extension to south (side) elevation of chalet.

LOCATION: Les Cocquerels, Rue Des Bergers, Castel.

APPLICANT: Mrs Pipet

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: 10/03/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 25/10/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs drawing no: 6130/C/1

Application Ref: FULL/2021/2343

Property Ref: D005270000

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 development hereby approved shall be used only for visitor accommodation within Visitor Economy Use Class 7 and for no other purpose of the Land Planning and Development (Use Classes) Ordinance, 2017, or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

5.The serviced visitor accommodation unit (Visitor Economy Use Class 7) hereby permitted shall only be operated by the occupier of the associated guest house, Les Cocquerels.

Reason - The operation of the serviced visitor accommodation unit, in isolation from the occupation of the associated guest house would result in an unsatisfactory relationship, affect the amenity of the guest house and require consideration of separate policy issues.

Expiry Date: This permission will cease to have effect on 09/03/2025 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/2021/2343
Property Ref: D005270000
Valid date: 25/10/2021
Location: Les Cocquerels Rue Des Bergers Castel Guernsey GY5 7AP
Proposal: Raise and alter roof height and erect single storey extension to south (side) elevation of chalet.

Applicant: Mrs Pipet

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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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5. The serviced visitor accommodation unit (Visitor Economy Use Class 7) hereby permitted shall only be operated by the occupier of the associated guest house, Les Cocquerels.

Reason - The operation of the serviced visitor accommodation unit, in isolation from the occupation of the associated guest house would result in an unsatisfactory relationship, affect the amenity of the guest house and require consideration of separate policy issues.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Les Cocquerels' is a two storey dwelling built in 1979, now used as a guest house. The property is located to the west of Rue des Bergers, the dwelling sits on the roadside boundary with two vehicular entrances, one to the north of the dwelling and one to the south, there is a small, detached accommodation unit (chalet) to the west of the main dwelling. There are residential properties to the north and across the road to the east. To the west is a neighbour's garden and the golf course, part of which is an Area of Biodiversity importance (ABI), and to the south is Agriculture Priority Area (APA) land which is also designated as an ABI. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2021/0655 - Change of use of agricultural land to domestic garden (1,990 sq.m.) and erect outbuilding (part-retrospective) – Approve August 2021.

Existing Use(s):

Residential use class 1: dwelling house.

Visitor economy use class 7: serviced visitor accommodation.

Assessment: *(Tick as appropriate)*

no representation	X
accords with policy	X
within curtilage	X
design acceptable	X

visual amenity acceptable	X
no material neighbour impact	X
traffic not affected	X

Policies considered most relevant:

OC8(A) – Visitor Accommodation Outside of the Centres - New, Extension, Alteration or Redevelopment of Existing Uses

GP8 – Design

GP9 – Sustainable Development

Conclusion/Brief comment:

This application is to raise and alter the roof height and erect a single storey extension to the south side of the visitor chalet, which is a detached unit to the west of the main building.

Policy OC8(A) relates to new, extension, alteration or redevelopment of existing visitor accommodation uses Outside of the Centres. Whilst this policy does not support the creation of new units outside of the centres, it does support the extension of existing visitor accommodation uses, which is the case with this scheme.

The chalet was initially a packing shed used in conjunction with the previous glasshouses, which were demolished in the 1980's, it was given permission to be converted to provide additional accommodation for the existing guest house in 2007, and has been used for visitor accommodation since then.

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

The scale and massing of the new extension, which cannot be seen from any public vantage points, is not considered to have a detrimental effect on the character and amenity of the surrounding, nor will it have any impact on either of the immediate neighbours, due to the distance between properties.

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.

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.

Recommendation:

Grant with Conditions



Date: 09/03/2022