

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 extension, erect single storey extension to west (rear) and south (side) elevation and alterations to fenestration. Erect garden room to south boundary, remove hedge and erect gate and fence to east boundary.

LOCATION: Wren Cottage, Le Douit Chalets, Rue Du Douit, Castel.

APPLICANT: Mr C Vaudin & Miss A Brown

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: 21/02/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 19/10/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design drawing no's: PD/01 & PD/02

Application Ref: FULL/2022/2061

Property Ref: D001810009

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.

Expiry Date: This permission will cease to have effect on 20/02/2026 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/2022/2061
Property Ref: D001810009
Valid date: 19/10/2022
Location: Wren Cottage Le Douit Chalets Rue Du Douit Castel Guernsey GY5 7JX
Proposal: Demolish extension, erect single storey extension to west (rear) and south (side) elevation and alterations to fenestration. Erect garden room to south boundary, remove hedge and erect gate and fence to east boundary.
Applicant: Mr C Vaudin & Miss A Brown

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.

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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.

OFFICER'S REPORT

Site Description:

The property known as 'Wren Cottage' was formerly an outbuilding in the late 1970's, which was rebuilt as a chalet with a small extension to the south. The dwelling sits at a higher level than the neighbouring properties to the northwest, and the west facing garden looks over the rear gardens of those neighbours. The access track runs along the east to a vehicular courtyard to the south servicing four other modern chalets. The property is located Outside of the Centres and is within the Agriculture Priority Area as defined in the Island Development Plan.

Relevant History:

FULL/2020/2443 - Demolish extension, erect single storey flat roof extension to south (side) elevation and raised decking to north (rear) elevation, and alterations to fenestration – Approved February 2021.

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

Demolish extension, erect single storey extension to the west rear and south side elevations and alterations to the fenestration. Erect garden room to south boundary, remove hedge and erect gate and fence to east boundary.

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

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Representations:

There has been one letter of representation and the issues are:

- Direct sunlight would be taken away from the kitchen window of the neighbour to the north;
- The extension would cause overshadowing to the northerly neighbour;

- Could the scheme be either lowered and/or the roof changed from a pitched roof to a flat roof?

Consultations:

None

Summary of Issues:

- 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.

The proposed extensions achieve a good standard of design, using materials which complement the existing materials. The scale and massing of the new extensions are not considered to have a detrimental effect on the character and amenity of the surrounding area, and the extension will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation.

Following a site visit and taking into account the issues raised in the letter of representation, it was acknowledged that the western element of the proposed extensions would have some impact on sunlight to the facing windows of the adjoining property to the north, predominantly during the winter months. The application was therefore deferred to request that consideration be given to changing the pitched roof to a flat roof. However, the agent replied that the application should be assessed as it has been submitted.

The extension will be 6.5m away from the neighbouring property, rather than the 3.4m of the main part of the dwelling, albeit set at a higher level than that property. A shadow analysis has been undertaken, taking into consideration the relative distances and levels, together with the size and form of the proposed extension, which demonstrates that the extension will not fall within a 25 degree angle taken from the centre point of the adjacent window. From this it can be concluded that, whilst there would be a level of shadowing from the proposals, the extent of that shadowing would be within acceptable levels and the impact on the amenity of the neighbouring property would not be so detrimental that it warrants a refusal.

All the other elements of the application, the installation of a garden room, hedge removal and erection of a gate and fence are all considered to be acceptable in the locations proposed.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

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.

Date: 09/02/2022