

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 and porch, erect extension to north-west elevation, alter existing roof forms, install rooflights to south-west and north-west elevations, cladding and alterations to fenestration.

LOCATION: Bijou De La Mer, 2 La Fosse, Rue Des Pres, St. Pierre Du Bois.

APPLICANT: Mr T Scott & Ms K Guillou

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: 13/02/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 21/11/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: CCD Architects - 3722 PL01B, PL02B, PL03A, PL04C & PL05A

Application Ref: FULL/2022/2257

Property Ref: F012340000

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.Prior to the single-storey extension hereby approved being brought into use the 1.8m high fence hereby approved along the northeast boundary shall be erected and thereafter retained in perpetuity.

Reason - To provide privacy to the occupiers of the adjoining dwelling.

Expiry Date: This permission will cease to have effect on 12/02/2026 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/2022/2257
Property Ref: F012340000
Valid date: 21/11/2022
Location: Bijou De La Mer 2 La Fosse Rue Des Pres St. Pierre Du Bois
Guernsey GY7 9AH
Proposal: Demolish extension and porch, erect extension to north-west elevation, alter existing roof forms, install rooflights to south-west and north-west elevations, cladding and alterations to fenestration.

Applicant: Mr T Scott & Ms K Guillou

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.

4. Prior to the single-storey extension hereby approved being brought into use the 1.8m high fence hereby approved along the northeast boundary shall be erected and thereafter retained in perpetuity.

Reason - To provide privacy to the occupiers of the adjoining dwelling.

OFFICER'S REPORT

Brief Description of the site:

2 La Fosse is a two-storey semi-detached stone house situated to the northwest corner of the site. A two-storey flat roof extension and lean-to glasshouse exist to the rear of the property and a single-storey lean-to extension to the side.

The application relates to the demolition of a porch and glasshouse extension and the erection of an extension to the rear of the property, alterations to raise the height of the lean to roof and replacement roof over the side and rear extensions, installation of external cladding and rooflights and alterations to fenestration. The proposed block plan appears to show works to the roof of the main building whilst other drawings specify that the existing main roof is to be retained.

The application was amended to ensure that an appropriate boundary treatment was provided between the proposed extension and semi-detached neighbour in the interests of privacy/overlooking.

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

Relevant History:

None.

Existing Use(s):

01 dwellinghouse
28 agricultural

Assessment: *(Tick as appropriate)*

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

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

Policies considered most relevant:

Island Development Plan policies:

GP1: Landscape Character and Open Land

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

The existing porch and glasshouse are of no particular merit to warrant their retention and their removal is accepted.

The proposed alterations to the existing side and rear extensions will improve their overall appearance and represent a good standard of design. The works will not have an unacceptable impact on the wider open landscape nor on the amenities of the occupiers of the semi-detached property in terms of overshadowing and loss of light. The single-storey extension to replace the glasshouse is also considered to represent a good standard of design and given its single-storey design, the fact it is set off the common boundary and the low eave level closest to the boundary all ensure that the extension will not result in overshadowing and loss of light to the adjoining neighbour.

New ground floor windows and alterations to existing openings in the side elevation facing 1 La Fosse will look onto an existing boundary wall with new fence proposed. As amended the proposed fenestration will not result in unacceptable overlooking or loss of privacy to the occupiers of the adjoining dwelling as views will not be permitted to the lower ground level and the amenity space to the immediate rear of no. 1. The introduction of rooflights are to provide light and ventilation rather than outlook and will not result in unacceptable overlooking or loss of privacy.

An element of mutual overlooking exists between semi-detached properties and the introduction of a first floor dining room window facing across the roof of the proposed extension will not significantly alter the relationship between the two properties given that an opening currently exists in this approximately position. The retention of the existing side window to this area of accommodation will not alter the relationship between the two properties with regard to the potential for overlooking and loss of privacy.

The proposals will provide occupiers with more flexible and adaptable accommodation that is able to respond to the needs of occupiers over time.

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.

In view of the above it is recommended permission is granted for the works outlined.

Recommendation:

Grant with Conditions



Date: 10 February 2023