

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 to create accommodation at first floor (upper floor) level, erect extension and install rooflight to north-west elevation.

LOCATION: Le Corvalet, Les Sommeilleuses, Forest.

APPLICANT: Ms T Hutcheon

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: 29/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 28/12/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: CCD Architects: 3736 PL01, 02, 03, 04, 05, 06 & 07

Application Ref: FULL/2023/0074

Property Ref: H004610000

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 installation of the zinc roof, details of the colour of the finish of the zinc roof shall be submitted to and agreed in writing by the Authority. The work shall then be completed in accordance with the agreed details.

Reason - In the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 28/03/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The Authority does not recognise all of the land outlined on the submitted plans as forming the domestic curtilage associated with the dwelling presently known as Le Corvalet.

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building is located in an area where bats may be roosting or other wildlife may be nesting and measures may therefore need to be taken (including inspections prior to any building works or consideration of the timing of the works) to ensure that any protected species present are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted on 07781 166924 or email info@societe.org.gg.

To limit the potential impact of light pollution on wildlife within the adjoining Site of Special Significance, it is recommended that external lighting is avoided or kept to a minimum.

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/2023/0074
Property Ref: H004610000
Valid date: 28/12/2022
Location: Le Corvalet Les Sommeilleuses Forest Guernsey GY8 0BJ
Proposal: Raise and alter roof to create accommodation at first floor (upper floor) level, erect extension and install rooflight to north-west elevation.

Applicant: Ms T Hutcheon

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. Prior to the installation of the zinc roof, details of the colour of the finish of the zinc roof shall be submitted to and agreed in writing by the Authority. The work shall then be completed in accordance with the agreed details.

Reason - In the interests of visual amenity.

INFORMATIVES

The Authority does not recognise all of the land outlined on the submitted plans as forming the domestic curtilage associated with the dwelling presently known as Le Corvalet.

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building is located in an area where bats may be roosting or other wildlife may be nesting and measures may therefore need to be taken (including inspections prior to any building works or consideration of the timing of the works) to ensure that any protected species present are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted on 07781 166924 or email info@societe.org.gg.

To limit the potential impact of light pollution on wildlife within the adjoining Site of Special Significance, it is recommended that external lighting is avoided or kept to a minimum.

OFFICER'S REPORT

Site Description:

The application property comprises of an isolated detached house with a detached garage and shed. The dwelling is partially buried and is covered by earth. The site is located on the south coast cliffs at the end of a long gravelled track which links sections of the cliff path and it is surrounded by open and undeveloped land.

The property is located Outside of the Centres and is surrounded by a Site of Special Significance as designated under the Island Development Plan.

Relevant History:

04/10/2022 – PREA/2022/1556 – Pre-application advice regarding extend and alter dwelling.

07/01/2019 – FULL/2018/2734 – Permission granted to widen existing driveway and install granite pillars and entrance gate. Clad side and rear walls of garage in granite.

Existing Use(s):

Residential use class 1: dwelling house

Brief Description of Development:

Planning permission is requested to raise and alter the roof to create accommodation at first floor (upper floor) level, erect an extension to form an entrance to the dwelling and install 2 rooflights to the north-west elevation.

The upper storey extension is proposed to be finished with lime plastered walls and a standing seam zinc roof. The extension to form the entrance would be constructed in granite.

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

Policy GP1: Landscape Character and Open Land

Policy GP2: Sites of Special Significance

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP13: Householder Development

Representations:

One letter of representation was received on behalf of La Société Guernesiaise which highlights that buildings of this type can be used by roosting bats particularly when a property is located within a variable landscape with habitats such as farmland or woodland nearby. La Société Guernesiaise recommend that the building is inspected for current or recent use by bats by a suitably qualified person prior to any building works to reduce the risk of disturbing or destroying animals which are protected under the Animal Welfare Ordinance 2012.

In addition La Société Guernesiaise highlight the environmental impact of light pollution on wildlife particularly when such pollution is introduced into a landscape such as this one where existing sources of artificial light are relatively sparse. La Société Guernesiaise recommend that an informative note to highlight the above and to encourage external lighting to be avoided or to be kept to a minimum is included in the decision notice

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. Design, scale and impact of the development on the character, appearance and openness of the area.
2. The impact of the development on the adjacent Site of Special Significance

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

The existing partially buried earth covered dwelling has been designed to minimise its visual impact within the landscape. The proposal to create an upper floor extension finished with rendered walls and a zinc roof and an above ground entrance would move away from the original design concept of the dwelling and would increase the visibility of the building within the landscape.

However, by virtue of its siting and relatively modest scale, together with the well-established planting within and around the site, the extended dwelling would not form an overly prominent feature from public viewpoints. The extensions achieve a good standard of design and it is noted that Policy GP8 encourages multi-storey designs as a more efficient use of land and Policy GP13 provides support and flexibility for extensions and alterations to existing residential buildings. On balance, the proposal is unlikely to have any significant adverse effects on the landscape character and openness of the area, in accordance with Policies GP1, GP8 and GP13.

The dwelling is surrounded by a Site of Special Significance. No works are proposed within the Site of Special Significance. To address the comments raised on behalf of La Société Guernesiaise regarding the potential impact of light pollution on wildlife it is recommended that a note is attached to the decision notice to discourage or minimise the use of external lighting. The proposal is unlikely to have any adverse impacts on the adjoining Site of Special Significance.

To address the comments raised on behalf of La Société Guernesiaise, it is recommended that a note is attached to the decision notice to make the applicant aware of the potential issues with disturbing animals which are protected under the Animal Welfare Ordinance 2012.

Information has been submitted to demonstrate that the design has taken into account the use of energy and resources, in accordance with Policy GP9.

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.

It is recommended that the application is approved.

Date: 29/03/2023

