

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 erect single storey extension to east (rear) elevation and alterations to fenestration.

LOCATION: Ville-Es-Pies Cottage, Ville-Es-Pies, Vale.

APPLICANT: Mr & Mrs Henry

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: 08/02/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 30/11/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture - 2348 02.01

Application Ref: FULL/2023/2377

Property Ref: C009780000

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 extension hereby approved first being brought into use, the ground floor window located between the kitchen of the main dwelling and the lounge in the new extension must be permanently closed with an opaque material in a manner to comply with the Building (Guernsey) Regulations, 2012.

Reason: To ensure there is no intervisibility between the two units and to prevent transfer of sound and fire.

Expiry Date: This permission will cease to have effect on 07/02/2027 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/2023/2377
Property Ref: C009780000
Valid date: 30/11/2023
Location: Ville-Es-Pies Cottage Ville-Es-Pies Vale Guernsey GY3 5LR
Proposal: Demolish extension and erect single storey extension to east (rear) elevation and alterations to fenestration.

Applicant: Mr & Mrs Henry

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 extension hereby approved first being brought into use, the ground floor window located between the kitchen of the main dwelling and the lounge in the new extension must be permanently closed with an opaque material in a manner to comply with the Building (Guernsey) Regulations, 2012.

Reason: To ensure there is no intervisibility between the two units and to prevent transfer of sound and fire.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Ville-es-Pies' is a detached traditional pre-1900's one and a half storey building that faces northwest onto Ville-es-Pies. Residential properties are located to the north and south-east of the site, both of which are protected, but the protected buildings on both properties are set back from the road and away from the building at the application site. The single garage associated with the property to the north is set immediately to the north of the building at the application site. There are other dwellings across the road to the west. The property is located Outside of the Centres and within a Conservation Area 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.

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

X
X
X
X

visual amenity acceptable
no material neighbour impact
traffic not affected

X
X
X

Policies considered most relevant:

GP4: Conservation Areas
GP5: Protected Buildings (Setting)
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:

'Ville-es-Pies' is also known as 1 & 2 Ville-es-Pies, and planning history shows that the building has contained two separate units of accommodation since before the 1980s. It is therefore established that the property contains two dwellinghouses.

This application is to demolish the rear (south-east) extension to the rear of the northern unit and to erect a slightly larger single storey extension in its place to house a kitchen/diner, and to insert a new half glazed door on the north elevation, together with some alterations to the fenestration.

At present the two properties are next to each other with all of the rear fenestration facing southeast, apart from the rear porch of the northern unit which faces southwest onto the shared patio area. There is no record of any division of the rear amenity space, and the rear patio would therefore be considered a shared space. The introduction of a larger window serving a habitable space, looking out on to that patio, would not therefore result in significant additional impacts on the privacy of the southern unit.

The new layout proposed would cause the northern unit to overlap the main dwelling at the rear which means the rear kitchen window of the southern unit would look into the proposed lounge of the northern unit. Although this may be acceptable were the accommodation ancillary, as the units are recognised as separate entities it is not appropriate in this case. Closure of the window has however been agreed by the agent and can be managed by condition. The proposals would not otherwise alter the relationship between the units, and would not compromise the use of either unit.

The proposed side door on the northeast elevation of the northern unit is not considered to have any impacts on the neighbouring property due to the distance and the fact there is a boundary wall and neighbours outbuilding which block any direct views onto the neighbours land.

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 is not considered to have a detrimental effect on the character and amenity of the surrounding area. The small extension is also not considered to have any adverse impacts on the special interest of the protected buildings, which are on either side, or on their setting.

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.

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

Recommendation:

Grant with Conditions



Date: 06/02/2024

