

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 roof height to create first floor level with external staircase to north elevation, erect single storey extension to west (rear) elevation and alterations to fenestration. Demolish and alter roadside wall to widen vehicle access.

LOCATION: La Chaumiere Cachee, Fermain Road, St. Peter Port.

APPLICANT: Mr & Mrs T Revill

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: 05/07/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/06/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Infinity Group: 112.GY - PD - 01D

Application Ref: FULL/2024/0974

Property Ref: A411000000

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 05/07/2027 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/2024/0974
Property Ref: A411000000
Valid date: 10/06/2024
Location: La Chaumiere Cachee Fermain Road St. Peter Port Guernsey
GY1 2TB
Proposal: Raise roof height to create first floor level with external staircase to north elevation, erect single storey extension to west (rear) elevation and alterations to fenestration. Demolish and alter roadside wall to widen vehicle access.
Applicant: Mr & Mrs T Revill

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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 'La Chaumiere Cachee' is a late 1800's two storey dwelling, which is set back from and faces east onto Fermain Road. There are neighbouring properties to the north, west and south and an open field to the east. The land falls away to the east. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

A 2023 pre-application.

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

This application is to raise the roof height to create a first floor art studio with external staircase on the north elevation of the existing garage, plus a single storey flat roof extension to the west rear elevation of the garage to store garden equipment, finally to demolish a section of roadside boundary wall to alter the vehicular access.

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

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Representations:

There has been three letters of representation and the issues are:

- The objection is not the conversion, but the oversized Velux windows (x 4) they are intending to install and the height of these windows. All other properties have their aspects and views towards the coast as to not to overlook the properties behind, and the major issue we have is the overlooking directly into the main bedrooms. The proposed windows will be out of character and oversized.

- The application for construction of an additional upper storey above the garage at La Chaumiere Cachee will block part of the view of the open fields beyond the application property, and remove the open aspect over fields the bluebell woods that the property presently enjoys.
- The objection is made on the basis that the windows at the rear of the upper storey extension will when constructed be excessively large, and result in our and other properties behind the subject property being overlooked by those inside the upper storey extension and such windows will create a mirror effect which will shine into the neighbours and other properties during the afternoon and evenings when the south west and westerly sun will reflect off the windows creating a dazzle effect.
- The plans show the rear of the Art Studio (west facing) will have 4 very large rooflights each measuring 940mm x 1400mm. These will look directly into all my living accommodation taking away any privacy that I have in my own home. I've read the planning policies referred to in the application and the proposed west facing velux windows don't comply with Policy GP13 para (a) which as you'll know states there should be no significant adverse effects on the amenities of neighbouring properties.

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 vehicular opening will increase from 5m to 6m, 2.5m will be demolished to the north, but 1.5m of new wall will be built to the south, centralising the opening on the two new garage doors, either side of the opening the wall will finish in a curve (so it looks like there is a bell mouth). Centralising the opening to the garage is both sensible and practical, it will also separate the entrance away from the neighbours entrance (to the south).

The alterations to the existing garage are considered to achieve a good standard of design, using materials which complement the existing materials. The first floor

extension will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation. The IDP supports multi-level accommodation as it is an efficient use of land.

The scale and massing of the new first floor extension is not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it have any impacts on either of the immediate neighbours. The nearest neighbour/representor is 44m away and the distance between the art studio and the other representor's properties is between 69m - 73m, which is considered enough of a distance to mitigate the concern of overlooking.

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: 05/07/2024

