

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: Variation to approved scheme FULL/2023/1000. Alterations to fenestration, increase ridge height, alterations to dormer windows and omit solar panels.

LOCATION: Leafy Cove, La Garenne, L'Ancrese, Vale.

APPLICANT: Mr & Mrs Le Lievre

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: 24/09/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/07/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture Ltd - 02.01C, 02.02B, 02.03B, 02.04B, 02.05B, 02.06B, 02.07B, 02.08B, 02.09A, 02.10C,

Application Ref: FULL/2024/1302

Property Ref: C010510000

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 on or before 17/09/2026.

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. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 18/9/2023, issued under planning application reference FULL/2023/1000, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

Expiry Date: This permission will cease to have effect on 17/09/2026 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/2024/1302
Property Ref: C010510000
Valid date: 22/07/2024
Location: Leafy Cove La Garenne L'Ancrese Vale Guernsey GY3 5SG
Proposal: Variation to approved scheme FULL/2023/1000. Alterations to fenestration, increase ridge height, alterations to dormer windows and omit solar panels.

Applicant: Mr & Mrs Le Lievre

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 on or before 17/09/2026.

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. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 18/9/2023, issued under planning application reference FULL/2023/1000, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

OFFICER'S REPORT

Site Description:

Leafy Cove is a small two bed pre 1900 cottage, located in a prominent position, part of a small group of similar sized cottages fronting on La Garenne.

The site lies Outside the Centre and within a Conservation Area as defined in the Island Development Plan. Immediately opposite the site, across the vehicular road, is an Area of Biodiversity Importance which follows the coast and abuts the intertidal zone.

Relevant History:

FULL/2023/1000- Demolish existing dwelling, change of use of agricultural land to domestic garden (490 sq.m.), erect replacement dwelling with associated landscaping, erect detached 1.5 storey garage/outbuilding to west boundary, alter vehicle and pedestrian accesses.

Existing Use(s):

01 Dwelling houses

Brief Description of Development:

The application proposes a number of variations to the originally approved scheme, these include alterations to fenestration, an increase in the ridge height of the rear dormer, garage and alterations to the garage dormer windows, and the omission of solar panels.

The application was deferred due to concerns raised by Environmental Health regarding the position of the Air Source Heat Pump (ASHP) and the potential for noise related harm to neighbouring residential dwellings. As a result of this, the ASHP has been removed from the proposed plans.

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

GP1- Landscape Character

GP4- Conservation Area

GP7 – Archaeological Remains
GP8- Design
GP9- Sustainable Development
GP13- Householder development

Representations:

Three letters of representation have been received from one local address, and have been summarised below:

- Increase in ridge height of garage will be overbearing to neighbours and reduce light levels to internal rooms.
- Repositioning of external staircase will allow direct overlooking from upper platform and stairs.
- Position of external shower and heat pump are intrusive in terms of privacy, noise, light and drainage.
- Potential for garage to be used as habitable accommodation.
- Proposed bike/log shelter adds to bulk of building and harms neighbour privacy.
- Revised plans do not minimise impact on neighbouring dwelling.

Consultations:

The Office for Environmental Health and Protection were consulted on the proposal and raised concern as the proposal did not include specific details of the proposed ASHP model and requested additional information on this.

Officer Note- As the ASHP was removed from the plans, Environmental Health were not reconsulted.

Summary of Issues:

- Principle of Development
- Visual impact of proposed design, mass and scale and its impact in the landscape.
- Impact on Conservation Area
- Neighbour amenity
- Other matters

Assessment:

The principle of the replacement dwelling is considered acceptable, as previously established in the original application, FULL/2023/1000 and this application is for a variation of this consent, to allow alterations to fenestration of house and garage, including a number of new rooflights in the main dwelling, alterations to the rear dormer, alterations to the proposed materials, an increase in the ridge height of the proposed garage along with alterations to the previously approved garage dormer and omission of solar panels.

Changes to the main dwelling:

The proposed alterations to the fenestration involve alterations to previously approved rooflights to the eastern wing of the dwelling, a new rooflight to the front elevation, and a new rooflight to the eastern roofslope which serves a bedroom. The sill height of this appears to be 1.7m above floor level, and so is unlikely to have a significant impact on neighbour amenity.

The rear first floor dormer to the western wing of the dwelling has been enlarged and a cat slide dormer is now proposed, rather than the previously approved flat roof dormer. This is not considered to have a significant impact due to its location to the rear of the site, and this alteration will not reasonably change the original impact on neighbours.

Other alterations include the installation of a flue pipe to the eastern roof slope of the eastern wing, and the omission of the solar panels proposed to the western roof slope of the eastern wing. An EV charging point has been added to the plans, adjacent to the garage.

The proposal remains compliant with Policy GP9, despite the removal of the solar panels, as the development now features an EV charging point, enhanced thermal U values are also now proposed.

Changes to the garage:

The alterations to the garage now proposed include raising the ridge by 200mm, replacing the previous 3 pitched roof dormers with one flat roof dormer, repositioning the external staircase from the north elevation to the south, and adding a lean-to extension to the north to provide covered bike parking.

The proposed raising of the ridge by 20cm is unlikely to have a significantly different impact on the neighbours than that previously assessed. The roof remains pitched away from the neighbours, and so the increase of just 20cm will have a minimal result. The proposed single dormer is set down from the ridge and positioned centrally on the roof slope and is considered to represent a good standard of design and will have no impact on neighbours as it faces into the site.

The external staircase was previously approved to the north elevation of the garage, this has now been relocated to the southern end. Neighbours have raised concern regarding the potential for overlooking from this access, and it is acknowledged that some views towards the neighbour to the west may be possible by people using the access, however, the external stairs are functional and provide only a small, raised platform which is not capable of use for standing out or socialising on. The views from the staircase and platform are likely to be limited and transient in nature, only possible when accessing the first floor of the garage. On balance, this is considered to be acceptable.

The installation of an outdoor shower adjacent to the neighbour's boundary is acceptable and is not likely to cause any noise or disturbance beyond that which can be considered appropriate for a residential garden. Use of the 1st floor of the garage for habitable accommodation is acceptable as it is incidental to the enjoyment of the

dwellinghouse and does not create a new planning unit. The addition of the single storey lean-to to the rear of the garage is not considered to result in any harm to neighbour amenity due to its appropriate scale, and position

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.

In view of the above it is recommended that permission is granted.