

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 chimney, shed and extension, erect two storey extension to west elevation with terrace at 1st floor level to north elevation, install rooflights to east (front) elevation, alterations to fenestration and erect shed to north of site (revised).

LOCATION: La Conchee Cottage, Rue Perelle, St. Saviour.

APPLICANT: Mr J Gallienne

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: 22/01/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 28/08/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JM Design - 2412-01 PD/01A, PD/02A & PD/03A.

Application Ref: FULL/2024/1491

Property Ref: E011190000

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 first occupation of the extended dwelling, the 1.8m high screen along the west elevation of the first floor terrace shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

5.The west boundary wall and fence shall be completed prior to the first occupation of the extended dwelling.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

Expiry Date: This permission will cease to have effect on 22/01/2028 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/2024/1491
Property Ref: E011190000
Valid date: 28/08/2024
Location: La Conchee Cottage Rue Perelle St. Saviour Guernsey GY7 9QF
Proposal: Demolish chimney, shed and extension, erect two storey extension to west elevation with terrace at 1st floor level to north elevation, install rooflights to east (front) elevation, alterations to fenestration and erect shed to north of site (revised).
Applicant: Mr J Gallienne

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 first occupation of the extended dwelling, the 1.8m high screen along the west elevation of the first floor terrace shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

5. The west boundary wall and fence shall be completed prior to the first occupation of the extended dwelling.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

OFFICER'S REPORT

Site Description:

The site consists of a traditional 1½ storey cottage with a single storey lean-to extension and conservatory attached to the north gable. The site is situated along La Perelle coast road and it forms a corner plot to the south-west of the junction between Route De La Perelle and Rue Perelle. The dwelling is constructed with stone walls and a slate roof and is orientated with the north gable facing towards the coast road. The site is located Outside of the Centres.

Relevant History:

None

Existing Use(s):

Residential use class 1: dwelling house

Brief Description of Development:

Planning permission is requested to demolish chimney, shed and extensions to the north and west elevations and erect a two storey pitched and flat roof extension to the west elevation with a terrace at 1st floor level to the north elevation, install rooflights to the east (front) elevation, alterations to fenestration and erect a shed to the north of the site.

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

GP1: Land scape Character and Open Land

GP8: Design

GP9: Sustainable development

GP13: Householder development

Representations:

One objection was received, main points as follows:

- Two storey extension will compromise the integrity of the fisherman's cottage and the surrounding area.
- The proposal will not be assimilated into the area but will detract from it.
- The area should keep its integrity as a fisherman's village, including the roofscape.
- A single storey extension would be more suitable for this area.

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. Design, scale and impact of the development on the character and appearance of the area.
2. The impact of the development on the amenity of people living in the area.

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).**

Policy GP13 indicates that proposals for the alteration and/or extension of residential properties will be supported subject to certain criteria being met including with regards to the impact on the amenities of neighbouring properties,

taking into account the surrounding character and where they accord with all the relevant policies of the Island Development Plan. In this instance Policies GP1, GP8 and GP9 are also relevant. In addition, the preceding text of Policy GP13 refers to the need to consider the material planning considerations as specified in Part IV, Section 13 of the Land Planning and Development (General Provisions) Ordinance 2007. These include the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used, as well as its likely effect on the character and amenity of the locality in question and its likely effect on the reasonable enjoyment of neighbouring properties.

Properties within the area are of a mixed size and design with the majority of properties along the coast road comprising of post-war 20th century properties. The proposal would result in a substantial increase to the footprint, scale and mass of the dwelling and the extension would dominate the existing dwelling. However, the existing dwelling is smaller than the majority of neighbouring properties, particularly along the coast road where the scale and mass of the extension would be focused. The scale and mass of the extended dwelling would be comparable to neighbouring properties and Policy GP8 encourages multi-storey designs as a more efficient use of land.

The design of the extended dwelling contrasts with the traditional design of the existing dwelling and the flat roof link between the pitched roof elements introduces a contemporary feature. However, the property is not located within a Conservation Area or other sensitive area, as set out in the preceding explanation to Policy GP8, and Policy GP8 provides support for personal choice in design matters in such circumstances. Taking into account the character of the surrounding area and particularly the dominance of post-war 20th century development along the coast road, the scale, mass and design of the extended dwelling is unlikely to have a significant adverse effect on the character of the local built environment, in accordance with Policies GP1, GP8 and GP13.

By virtue of its limited size and its siting, set back from the roadside boundaries, the shed is unlikely to have any significant adverse effects on the character of the local built environment.

During the course of consideration the application was deferred due to concerns about the impact on the amenities of neighbouring residents. Revised plans have addressed the concerns raised and include increasing the height of a section of the west boundary fence and the installation of a high obscure glazed screen to the west elevation of the first floor terrace. The extended dwelling would result in a degree of overlooking of the neighbouring property from the first floor oriel window in the west elevation. However, the oriel window would not face directly towards the neighbours dwelling and together with the distance to the neighbours dwelling the proposal is unlikely to result in a significant degree of overlooking of the neighbouring property to the west. In addition, it is noted that an existing dormer window which faces towards the neighbouring property to the west would be removed.

The existing and proposed ground and first floor windows in the south elevation would face towards the front garden of the neighbouring property. However, considering the existing degree of overlooking and the layout of the neighbouring property, the proposal is unlikely to result in a significant additional degree of overlooking of the neighbouring property to the south. Overall the increase in the scale and mass of the extended dwelling and the positioning of fenestration is unlikely to result in a material adverse effect on the amenities of neighbouring residents.

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 Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

It is recommended that the application is approved.

Date: 21/01/2025

