

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 conservatory, erect dormer window to east (front) and west (rear) elevations to create accommodation at first floor level. Erect raised terrace to west (rear) elevation and alterations to fenestration. Remove section of wall to widen vehicle access.

LOCATION: La Cachette, Les Querites, Castel.

APPLICANT: Mr H Wild & Miss K De La Haye

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: 19/02/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/01/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTech Freelance Architecture: HW-24-2208-02A.

Application Ref: FULL/2025/0071

Property Ref: D01086A000

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.Within four weeks of the new access being brought into use, the end of the new opening shall be finished off using materials and a method of construction which match the remainder of the wall.

Reason - To secure the satisfactory appearance of the completed development.

5.Prior to completion of or the first use of the new terrace (whichever is the sooner), the western section of the northern boundary fence (as shown on drawing ref: HW-24-2208-02A) shall be replaced with a fence to match the remainder of the boundary in terms of its type and height.

Reason - To prevent unnecessary overlooking and to ensure that the scheme would not cause harm to the amenities of neighbouring residential properties in accordance with policy GP8 of the Island Development Plan.

6.Prior to the first use of the first floor accommodation hereby approved, the cheeks in the dormer windows shall be fixed shut (i.e. non opening) and must be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent), and thereafter shall be retained as such at all times.

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 19/02/2028 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/2025/0071
Property Ref: D01086A000
Valid date: 16/01/2025
Location: La Cachette Les Querites Castel Guernsey GY5 7EE
Proposal: Demolish conservatory, erect dormer window to east (front) and west (rear) elevations to create accommodation at first floor level. Erect raised terrace to west (rear) elevation and alterations to fenestration. Remove section of wall to widen vehicle access.

Applicant: Mr H Wild & Miss K De La Haye

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. Within four weeks of the new access being brought into use, the end of the new opening shall be finished off using materials and a method of construction which match the remainder of the wall.

Reason - To secure the satisfactory appearance of the completed development.

5. Prior to completion of or the first use of the new terrace (whichever is the sooner), the western section of the northern boundary fence (as shown on drawing ref: HW-24-2208-02A) shall be replaced with a fence to match the remainder of the boundary in terms of its type and height.

Reason - To prevent unnecessary overlooking and to ensure that the scheme would not cause harm to the amenities of neighbouring residential properties in accordance with policy GP8 of the Island Development Plan.

6. Prior to the first use of the first floor accommodation hereby approved, the cheeks in the dormer windows shall be fixed shut (i.e. non opening) and must be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent), and thereafter shall be retained as such at all times.

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

OFFICER'S REPORT

Brief Description of the site:

The property now known as 'La Cachette' is a mid-20th century detached pitched roof bungalow which is set back from and faces northeast onto Les Querites. There are neighbouring properties to the northwest and south east and across the road to the northeast. To the southwest is the rear garden of one of the neighbours. The land falls away from the road down to the southwest. The property is located Outside of the Centres 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

✓
✓
✓
✓

visual amenity acceptable
no material neighbour impact
traffic not affected

✓
✓
✓

Policies considered most relevant:

GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:

This application is to demolish the existing conservatory and create a larger raised terrace in its place. To erect dormer windows to both the front and rear roof slopes to create first floor accommodation and some alterations to the other fenestration of the dwelling. Lastly to remove 1m of the roadside boundary wall to allow for better entering and exiting from the driveway onto the road, the new width would be approx. 4.2m wide.

The width of the main road is restricted in width making it tight manoeuvring in and out of the existing vehicular opening. Planning Exemptions allows driveways of up to 4m in width without the need for planning permission, the width as proposed is only just over this and would improve highway safety without causing considerable harm to the character or appearance of the surrounding area. The alteration to the access is therefore considered to be acceptable.

The rear terrace would be raised because the land falls away and the ground floor level of the dwelling is higher than the rear ground level. The terrace would follow the size of the existing paved area, 4.5m wide and 3.5m deep. Provided that the property's northern boundary has the fence replaced (which can be controlled by planning condition) then there would be no unacceptable overlooking.

The front dormers are considered acceptable as they will only look over the front garden and driveway and not into any private amenity space. The rear dormer which would have three windows in total, would allow a small amount of overlooking, but in each case (to the north and to the south) the overlooking would be at an oblique angle and would not be over the most private amenity spaces. On balance therefore the scheme is considered to be acceptable. The applicants agent has agreed that the dormer cheeks will have opaque glazing rather than clear to reduce overlooking.

The proposals are now considered to achieve a reasonably good standard of design, using materials which complement the existing materials. The first floor accommodation will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation.

The scale and massing of the new dormers are not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will they have any impact on either of the immediate neighbours.

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: 18/02/2025

