

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: Extend at ground and 1st floor level, including 1st floor terrace to east (rear) elevation and alterations to fenestration.

LOCATION: Siurana, Rue Mahaut, St. Saviour.

APPLICANT: Ms C Lesbirel

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: 29/09/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/10/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: g2a Architecture - 2785-01 C1a, -C2a & -C3

Application Ref: FULL/2021/2019

Property Ref: E007030000

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. No use of the roof terrace shall begin until the screen walls and timber fencing specified on drawing number 2785-01-C2a have been completed in their entirety. The screen walls and fencing shall be retained thereafter in perpetuity unless otherwise agreed in writing by the Authority.

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

5. The flat roof surface shall be recessed below the level of the ridge tile on the apex of the pitched roof of the original cottage, as indicated by section B-B on drawing number 2785-01-C1a, and shall not project above the apex of that roof.

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

Expiry Date: This permission will cease to have effect on 28/09/2025 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/2021/2019
Property Ref: E007030000
Valid date: 12/10/2021
Location: Siurana Rue Mahaut St. Saviour Guernsey GY7 9XD
Proposal: Extend at ground and 1st floor level, including 1st floor terrace to east (rear) elevation and alterations to fenestration.
Applicant: Ms C Lesbirel

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. No use of the roof terrace shall begin until the screen walls and timber fencing specified on drawing number 2785-01-C2a have been completed in their entirety. The screen walls and fencing shall be retained thereafter in perpetuity unless otherwise agreed in writing by the Authority.

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

5. The flat roof surface shall be recessed below the level of the ridge tile on the apex of the pitched roof of the original cottage, as indicated by section B-B on drawing number 2785-01-C1a, and shall not project above the apex of that roof.

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

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Siurana' is a pre-1900 bungalow which is set slightly back from and faces west onto Rue Mahaut. There is an adjoining property to the south and a detached dwelling to the north; there is a long rear garden to the east which backs onto another rear garden. 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 extend at ground and first floor level, including a first-floor terrace to the east rear elevation and alterations to fenestration. This application has

been deferred several times to achieve an acceptable design solution and relationship with neighbouring dwellings.

Policy GP8, amongst other things, expects new development to achieve a good standard of architectural design, to make the most effective and efficient use of land and to respect the character of the local built environment. It highlights that multi-storey buildings are a more efficient use of land than single storey buildings and it states that development proposals should consider a multi-storey design from the outset unless there are overriding reasons why this design approach would be unacceptable within a particular locality.

Policy GP13 supports development where there are no significant adverse effects on the amenities of neighbouring properties. Both policies provide for a high degree of personal choice on design matters in less sensitive areas (outside of Conservation Areas and not affecting the setting of protected buildings).

Initially, there were concerns with overlooking from the first floor terrace and the massing of the rear first floor extension. The proposed new roofline appeared bulky and uncharacteristic when so close to the original lower roofline.

Following submission of amended plans, the scale and massing of the proposed new extension is still somewhat unusual, with one rear section a little higher than the existing roofline, but it is of traditional pitched construction which is in keeping with the original cottage. The new rear extension would not affect the front elevation of the property because the eyeline from the street would not be able to view the rear extension behind the original building.

The proposals now achieve a good standard of design, using materials which complement the existing materials. The extension will provide adequate levels of sunlight and daylight, and give the occupiers more flexible and adaptable accommodation.

The first-floor balcony looks to the east, and to prevent any overlooking into the northern neighbour's rear garden, the 1.8m high north screening wall wraps around to the east of the balcony focusing views to the east and southeast. To ensure the neighbour's privacy is maintained a 5m section of the boundary wall will have additional fencing attached.

With these measures in place the proposals are not considered to have any detrimental effects on the character or appearance of the surrounding area, nor will the proposal impact on neighbour amenity.

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

Recommendation:

Grant with Conditions



Date: 28/09/2022

