

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: Install cat slide dormer with balcony at first floor level and rooflights to north (rear) elevation and alterations to fenestration.

LOCATION: No.2 Les Viviers, Le Vauquiedor, St. Andrew.

APPLICANT: Mr & Mrs M Le Blond

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: 10/05/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/10/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTECH Freelance Architecture: MB-21-1043-02C.

Application Ref: FULL/2021/2084

Property Ref: K004260000

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.The privacy screen to be installed on the eastern edge of the approved balcony shall be glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) and shall thereafter be retained 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 09/05/2025 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/2021/2084
Property Ref: K004260000
Valid date: 06/10/2021
Location: No.2 Les Viviers Le Vauquiedor Le Vauquiedor St. Andrew
Guernsey GY6 8TT
Proposal: Install cat slide dormer with balcony at first floor level and
rooflights to north (rear) elevation and alterations to
fenestration.
Applicant: Mr & Mrs M Le Blond

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).

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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.

4. The privacy screen to be installed on the eastern edge of the approved balcony shall be glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) and shall thereafter be retained 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 application site comprises a two storey, semi-detached dwelling-house located to the north of Le Vauquiedor, St. Andrew.

Planning permission is sought to install a cat slide dormer with a balcony at first floor level and roof-lights to the rear (north elevation) and alter fenestration to the side (west) and rear (north) of the dwelling.

Concern were raised regarding the potential overlooking effect towards neighbouring properties from the proposed first floor balcony. The application has therefore been amended to incorporate a 1.8m high privacy screen to the eastern edge of the balcony.

Relevant History:

None pertinent to this application.

Existing Use(s):

Residential.

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:

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.

The proposed dormer window and alterations proposed represents a satisfactory standard of design in terms of its form, siting, and materials. The proposal will be similar to that carried out at the adjoining semi (No.1 Les Viviers) which was approved in 1993 under a former Development Plan. The scheme will respect the character and visual amenity of the area when viewed from the Clos road.

Whilst it is recognised that the proposal will result in overlooking towards the neighbouring property to the north the degree of overlooking is not considered to be significant to justify refusal when taking into account the distance to the neighbouring property, external amenity space and the similarities with the adjoining dormer window installed to the rear of No.1 Les Viviers.

The incorporation of a 1.8m high privacy screen on the eastern edge of the balcony will help to protect the most private and sensitive part of the neighbouring property closest to the dwelling. It is however, recognised that views into the neighbour's garden will still be possible from the balcony. On balance, the degree of overlooking is unlikely to be so substantial to justify refusal when taking into account the size of the balcony, the existing neighbouring balcony and the incorporation of a privacy screen. The scheme has taken into account the need to protect the amenities of neighbouring residents under the provisions of Policy GP8 and GP13 of the current Island Development Plan.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 20/04/22

