

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: Erect extension at 1st floor level and alterations to fenestration to west (side) elevation.

LOCATION: 1 La Grande Maison De Bordeaux, Les Rocques Barrees, Vale.

APPLICANT: Miss L O'Mahoney

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: 15/12/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 27/10/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: G.E.Le Friec drawing no: 1405/3

Application Ref: FULL/2021/2213

Property Ref: C005180001

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.

Expiry Date: This permission will cease to have effect on 14/12/2024 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/2021/2213
Property Ref: C005180001
Valid date: 27/10/2021
Location: 1 La Grande Maison De Bordeaux Les Rocques Barrees Vale
Guernsey GY3 5LZ
Proposal: Erect extension at 1st floor level and alterations to fenestration
to west (side) elevation.

Applicant: Miss L O'Mahoney

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.

OFFICER'S REPORT

Site Description:

The property known as '1 La Grande Maison de Bordeaux' is a 2 bedroom apartment within a large Victorian house which has been converted into flats. The Property is set back from and faces south onto Les Rocques Barrees Road, and East Bourne Clos access road runs along the west elevation. There are mid-20th century dwellings to the west, and north across the access road and across the main road to the south. To the east is the rest of the house and an open field across the road. The property is located Outside of the Centres, but is within the Bordeaux Conservation Area as defined in the Island Development Plan.

Relevant History:

There have been two pre-apps regarding these proposals, in 2011 and 2014.

Existing Use(s):

Residential use class 2: flats.

Brief Description of Development:

This application is to erect a first floor extension over the single storey west 'wing' of the property and some alterations to the fenestration of Flat 1.

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

GP4 – Conservation Areas
GP8 – Design
GP9 – Sustainable Development
GP13 – Householder Development

Representations:

There have been two letters of representation and although both letter expressing no objection in principle the underlying issues are;

- The proposed extension will impact directly on the neighbours' property.
- The north facing dormer will cut the direct westerly light to my flat.
- The extension will block the light I currently get in my window which faces north.
- Seek reassurance that the views will be maintained from the west facing windows.
- How will the extension be attached to the gable wall of the main building?

Consultations:

None

Summary of Issues:

- Principle of the development.
- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

The property is on the edge of the Conservation Area and to the west and north of the site are bungalows which are not in the conservation area. The original Victorian dwelling has a two storey extension on the east side, a single storey 'wing' extension to the west and a single and two storey extension to the rear (north).

The proposals achieve a good standard of design, remaining subservient to the original house and using materials which complement the existing materials. The extension will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation.

The overall bulk of the original building will increase, but it is not considered to be disproportionate in this case, because attention has been paid to the scale and massing of the new extension, in respect to the main house, and it is not considered to have a detrimental effect on the special character and appearance of the surrounding conservation area.

The rear catslide dormer will face towards the neighbouring property known as 'Knutsford' but it will not result in overlooking given the distance between the properties. The large north facing sash window on the main building, which will be adjacent to the proposed extension, will suffer from some loss of light, but as it is a kitchen and it is not considered to be a principal room, the impacts are not so significant as to warrant a refusal of the proposal.

The proposed first floor windows on the west elevation will overlook the Clos access road and beyond closer neighbouring properties, 'Petit Bleu' and 'Pecifique'. One

window will service a bathroom and the other the stairwell. It is not considered there would be any significant overlooking.

Policy GP9, Sustainable Development, seeks to ensure all new development takes into account the use of energy and resources and any adverse impacts on the environment. There has been sufficient information provided with the application to comply with the requirements of this policy.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

3 - General material considerations set out in the General Provisions Ordinance.

One of the issues raised by the letters of representation was that of maintaining views. The maintenance of a view from neighbours is not considered to be a material planning consideration.

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. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

For the reasons set out within this report, it is recommended that planning permission be granted, subject to conditions.

Date: 06/12/2021