

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: Variations to previously approved plans to raise roof ridge height to create accommodation at 1st floor level, erect single storey flat roof extension to west (side) and south (rear) elevations, install external insulating render system, alterations to fenestration - increase floor area at 1st floor level to west (side) and to ground floor south (rear) extension.

LOCATION: The Laurels, Rue Des Grons, St. Martin.

APPLICANT: Mr & Mrs A Flouquet

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: 04/01/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/10/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 6113/B/1.

Application Ref: FULL/2021/2246

Property Ref: J01090A000

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 on or before 25/05/2024.

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 26/05/2021, issued under planning application reference FULL/2021/0325, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

Expiry Date: This permission will cease to have effect on 03/01/2025 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/2021/2246
Property Ref: J01090A000
Valid date: 22/10/2021
Location: The Laurels Rue Des Grons St. Martin Guernsey GY4 6JS
Proposal: Variations to previously approved plans to raise roof ridge height to create accommodation at 1st floor level, erect single storey flat roof extension to west (side) and south (rear) elevations, install external insulating render system, alterations to fenestration - increase floor area at 1st floor level to west (side) and to ground floor south (rear) extension.

Applicant: Mr & Mrs A Flouquet

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 on or before 25/05/2024.

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 26/05/2021, issued under planning application reference FULL/2021/0325, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

OFFICER'S REPORT

Site Description:

The application site comprises a detached bungalow located to the south of Rue Des Grons, St. Martin. The property is located Outside of the Centres as defined in the Island Development Plan. The surrounding area is characterised by a mix of building styles, sizes and types, mostly residential.

Planning permission was granted earlier this year (FULL/2021/0325) to demolish an existing detached garage, raise the ridge height to create habitable accommodation at first floor level, erect a single storey flat roof extension to the west (side) and south (rear) elevation, install an external insulating render system, alter the fenestration and widen the vehicular access.

Relevant History:

FULL/2021/0325	Demolish detached garage. Raise roof ridge height to create accommodation at 1st floor level, erect single storey flat roof extension to west (side) and south (rear) elevations, install external insulating render system, alterations to fenestration and widen vehicular access.	Granted
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Existing Use(s):

Residential.

Brief Description of Development:

Permission is now sought to vary the permission to create first floor accommodation above the approved garage (west elevation) and to increase the floor area of the extension at ground floor level (south elevation).

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

GP8 Design
GP9 Sustainable Development

GP13 Householder Development

Representations:

The Authority has received representation from one party objecting to the proposal. Grounds for objection principally relate to the following issues:-

- Overshadowing from the proposed first floor extension.

Consultations:

None.

Summary of Issues:

- Whether the design, scale, mass, siting, form and materials of the development is acceptable.
- The impact of the development on the character and appearance of the area.
- The impact of the development on neighbour amenity.

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).**

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 variation focuses on the first floor extension to the west of the property and the ground floor rear extension.

The design of the proposed first floor extension reflects that of the approved first floor extension in terms of its hipped roof and materials and therefore achieves a cohesive design. The proposed extension will also be set behind that of Bedroom 1 and the Master Bedroom, thereby creating a staggered effect. This staggering effect will help to reduce the 'visual mass' of the property when viewed in the street scene.

Whilst the bulk and mass of the property will be increased as a result of the development, the property lies in a less sensitive area and Policy GP13 indicates that less prescriptive control will be applied and thereby allowing property owners greater freedom of choice with regard to private property development. This flexible and proportionate approach underpins the objectives of the Island Development Plan and is further substantiated by Policy GP8 which adopts a

supportive position with regards to building design in areas that are less sensitive to change. Consequently, the character and appearance of the locality will not be unduly affected.

The close proximity of the first floor extension and the neighbouring property to the west known as 'Kimilili' has required careful consideration. Whilst it is acknowledged that the extension is likely to result in overshadowing and be overbearing due to the limited distance to 'Kimilili', of which includes fenestration on its east elevation, the degree of harm is not considered to be so substantial to warrant refusal. This conclusion has been drawn when taking into account the orientation of the extension to the neighbouring property (i.e. to the east), roof form of the extension, and being offset from the boundary itself. In addition, it also appears based on the representation received that the neighbour's kitchen is served by a window on the north elevation of the property, and would appear that the dining room is served by windows on the south elevation. Consequently, its dependency on daylight on the east elevation does not appear to be significant enough to present strong enough grounds to warrant significant harm.

In addition, the windows to the front and rear of the proposed first floor extension are sufficiently setback from the neighbouring properties to the north and south of the application site to not cause unacceptable harm in terms of overlooking. Any views into neighbouring rear gardens, particularly to the south, are considered to be limited due to oblique angles. In addition, the rooms serving the first floor extension comprise of an ensuite and a dressing room.

The increased floor area to the ground floor extension is acceptable and raises no issues in terms of neighbour amenity.

With regard to Policy GP9 (Sustainable Development), it has been demonstrated that the proposed development will comply with Building (Guernsey) Regulations 2012 and therefore has taken into account the use of energy, resources and any adverse impact on the environment.

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

Date: 29/12/21

