

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 balcony to east (rear) elevation, erect carport to north (side) and south (side) elevations and alteration to fenestration. Remove and replace hedge, erect fence to south boundary and erect shed on north boundary.

LOCATION: Anfre View, Village De Putron, St. Peter Port.

APPLICANT: Mr D Lynch

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: 31/12/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/11/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 6196/B/1 & 2

Application Ref: FULL/2021/2469

Property Ref: A410950000

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 obscure glass balustrade hereby approved to the north and south edges of the ground floor rear projecting balconies serving the kitchen and lounge shall be a minimum height of 1.8m above the finished floor level of the balcony, shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent) and shall be installed prior to the balcony being brought into use. The balustrade shall thereafter be retained at all times.

Reason - In order to preserve the privacy of the occupiers of the adjoining dwellings.

5.Prior to the existing garage being converted to additional habitable accommodation, shown on the approved plans as a gym, a hedge planting scheme to the front of the property in Village de Putron, to include full details of proposed hedge planting to Village de Putron to include a planting schedule, noting the species, sizes, numbers and densities of plants, shall be submitted to and approved in writing by the Authority.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

6.The hedge landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation or use of the former garage to habitable accommodation/gym. Any hedge plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is

satisfactory and to help assimilate the development into its surroundings.

Expiry Date: This permission will cease to have effect on 30/12/2024 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/2021/2469
Property Ref: A410950000
Valid date: 08/11/2021
Location: Anfre View Village De Putron St. Peter Port Guernsey GY1 2TG
Proposal: Erect balcony to east (rear) elevation, erect carport to north (side) and south (side) elevations and alteration to fenestration. Remove and replace hedge, erect fence to south boundary and erect shed on north boundary.
Applicant: Mr D Lynch

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.

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Reason - In order to preserve the privacy of the occupiers of the adjoining dwellings.

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Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

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Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

OFFICER'S REPORT

Brief Description of the site:

Anfre View is a detached dwelling on Village de Putron and the road runs to both the east and west of the dwelling. The property is two and a half storeys in height and has a rendered exterior and hipped roof. The garden is arranged in a series of terraces as the land slopes down to the east. The west site boundary with Village de Putron is marked by a hedge and off-road parking exists to the front and side of the dwelling, adjacent to both the north and south site boundaries. The existing building is set low in a design considerate of the buildings to the west, it is almost chalet style

with the hipped roofs keeping the bulk down. As the land falls away the building gets larger in terms of bulk where the focus is the view.

Bian Brisot was constructed between 2013 and 2016 and has been designed with a shallow pitched roof, incorporating solar panels to the southern roofslope. A hipped roof garage is situated to the west of this dwelling. This building has been designed as a chalet style development and has been set low within the site.

Harlyn is a detached, hipped roof dwelling that appears as a two-storey building from Village de Putron to the west. From the rear however the property is three storeys in height taking account of the sloping nature of the site.

The application relates to the removal of an existing balcony and the erection of a larger balcony to the rear/east elevation of the dwelling along with the infilling of a door and enlargement of a window to a door to the side/north elevation of the property. Two windows, at ground and first floor level, are to be removed and infilled to the side/south elevation. The integral garage is to be converted to additional habitable accommodation through the replacement of the garage door with three new windows and associated render infilling and a car port (with timber clad rear/east and part side/north elevation) and shed are proposed to the side/north of the dwelling. A further carport is proposed to the side/south of the dwelling with timber clad south elevation. The existing hedge to the front of the dwelling is shown to be removed and replaced and a 1.8m high fence erected along part of the south boundary, forward of an elevation of the dwelling facing the road.

The hedge to the front of the property has been removed however, planning permission to erect a replacement dwelling on the site, FULL/2018/1322, included the removal and replacement of the hedge at the front of the property. This permission remains extant therefore the removal of the hedge prior to the determination of this application does not represent a breach of planning control.

The site is located Outside of the Centres.

Relevant History:

None.

Existing Use(s):

01 dwellinghouse

Assessment: *(Tick as appropriate)*

no representation

☒

accords with policy

☒

within curtilage

☒

visual amenity acceptable

☒

no material neighbour impact

☒

traffic not affected

☒

design acceptable

x

Policies considered most relevant:

Island Development Plan policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

IP7: Private and Communal Car Parking

Conclusion/Brief comment:

The proposed alterations to fenestration represent a good standard of design that will not result in harm to the character and appearance of the area or the amenities of surrounding residential neighbours. The shed is set back in the site, adjacent to the dwelling and away from the roadside boundary and the boundary with the adjoining dwelling. The shed will not result in overshadowing or loss of light to the adjoining residents nor will it result in harm to the character and appearance of the locality.

The largely open, flat roof carports to the side of the dwelling have been designed to appear subservient to the house when viewed from the road. It is noted however, that the carport to the south of the dwelling building would be situated forward of the dwelling but not forward of the adjoining dwelling, Harlyn. Being situated forward of the dwelling this carport would not strictly be in keeping with the character of the local built environment (where outbuildings tend to be located to the side or rear of dwellings) but given the single-storey flat roof design of the structure it will not result in unacceptable harm to the character and appearance of the locality. The carports will not result in overlooking or overshadowing to the occupiers of adjoining dwellings.

The replacement of the hedge at the front of the property would conserve the character and appearance of this part of the streetscene. The replacement hedge is a matter that can be managed by planning condition and its replacement is necessary in order to ensure that a wide, open frontage of hardstanding is not generated which would not enhance the character and appearance of the area. Although a high fence is proposed along the common boundary with Harlyn, forward of the front elevation of Anfre View, the fence would not project significantly forward of the adjoining dwelling and will be seen in the context of the side elevation of this neighbouring dwelling. In this case therefore, the proposed fence will not appear unduly prominent in the streetscene or result in unacceptable harm to the character of the locality. The fence will not result in overshadowing or loss of light to the occupiers of the neighbouring dwelling, whose garage is situated adjacent to the common boundary, nor impede views along Village de Putron for vehicles accessing the application site or the adjoining dwelling.

An existing, more modest balcony is situated to the rear/east of the dwelling to benefit from the sea views. The replacement balcony would be significantly larger, projecting further into the garden and across almost the entire width of the property. The balcony would remain however, set well away from the north and south site boundaries and is shown to incorporate 1.8m high obscure glazed screens to the edges closest to these boundaries in order to mitigate the potential for overlooking and loss of privacy that could be generated (north high screen shown on the elevation drawings but not the floor plans). The site boundaries also benefit from substantial and mature landscaping however this cannot be relied upon to be retained at its current height and density to offer screening of the proposed development from adjoining properties and a condition is considered appropriate in order to ensure the high screens are installed and retained.

Given the siting of Harlyn in its plot the balcony, including high screen as proposed, will not result in unacceptable overlooking or loss of privacy to the immediate rear of the adjoining dwelling. Views from the proposed balcony will be directed east and any views of the adjoining garden will be limited to the eastern end of the site, away from the more private area adjacent to the house. This represents an improvement over the existing situation where there are direct views from the balcony across the rear of this adjoining dwelling to the south.

Bian Brisot is set low in its plot with overhanging eaves to the south elevation. Given the sunken nature of this development and the distance separation between the small, northernmost section of balcony and the use of a high screen this balcony will not generate unacceptable overlooking or loss of privacy to the occupiers of the adjoining dwelling. A low screen is proposed to the northern edge of the southern part of the balcony however the distance to the boundary and the topography of the site is such that this would not result in unacceptable overlooking or loss of privacy to the occupiers of the dwelling to the north. Overall, the balconies will not result in unacceptable overlooking or loss of privacy to the garden or to areas of glazing to the south of this dwelling.

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.

In view of the above it is recommended planning permission be granted for the proposed development.

Recommendation:

Grant with Conditions



Date: 23 December 2021

