

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: Raise and alter roof height to create 1st floor accommodation, extend and alter at lower ground floor and ground floor level. Erect 1.5 storey detached garage/ancillary accommodation to east boundary and erect a summer house to south boundary and remove hedge.

LOCATION: Awali, Val Au Bourg, St. Martin.

APPLICANT: Mr & Mrs Hughes

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: 05/01/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 17/11/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Grey Bear Architect - 104-3-300, 301, 302, 303, 304, 305, 306, 307, 308 & 309.

Application Ref: FULL/2021/2496

Property Ref: J01134C000

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 04/01/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the proposed summerhouse and garage to be used only for purposes incidental to the enjoyment of the dwelling house. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations. Any use in connection with a trade or business would also require a separate grant of planning permission.

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the 202 Strategy for Nature and the need to comply with their provisions. The hedge may be used by nesting birds or other wildlife. You are requested to remove the hedge outside of the main bird breeding season (March - July inclusive). If removal during the breeding season is considered essential, it is recommended you contact La Societe Guernesiaise so that the site can be inspected prior to removal to ensure that protected species present are not impacted by the works. La Société Guernesiaise can be contacted for advice or to arrange a site visit on 07781 166924 or email societe@cwgsy.net.

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/2021/2496
Property Ref: J01134C000
Valid date: 17/11/2021
Location: Awali Val Au Bourg St. Martin Guernsey GY4 6EP
Proposal: Raise and alter roof height to create 1st floor accommodation, extend and alter at lower ground floor and ground floor level. Erect 1.5 storey detached garage/ancillary accommodation to east boundary and erect a summer house to south boundary and remove hedge.

Applicant: Mr & Mrs Hughes

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.

INFORMATIVES

For the avoidance of doubt, this decision permits the proposed summerhouse and garage to be used only for purposes incidental to the enjoyment of the dwelling house. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations. Any use in connection with a trade or business would also require a separate grant of planning permission.

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the 202 Strategy for Nature and the need to comply with their provisions. The hedge may be used by nesting birds or other wildlife. You are requested to remove the hedge outside of the main bird breeding season (March - July inclusive). If removal during the breeding season is considered essential, it is recommended you contact La Societe Guernesiaise so that the site can be inspected prior to removal to ensure that protected species present are not impacted by the works. La Société Guernesiaise can be contacted for advice or to arrange a site visit on 07781 166924 or email societe@cwgsy.net.

OFFICER'S REPORT

Brief Description of the site:

Awali is a detached dwelling situated to the south of a private road off Val Au Bourg.

The application relates to the erection of a two-storey extension to the front and side/east of the dwelling to provide additional en-suite bedrooms, a new hallway and utility room and the inclusion of a lift. A roof extension is proposed over the entire dwelling once extended to provide first floor accommodation served by rooflights and will provide primary living accommodation (kitchen/dining areas/TV room and a terrace to the south including external staircase. A flue is proposed in the southern roofslope of the dwelling.

The scheme also relates to the erection of a detached one and a half storey triple garage with ancillary living accommodation within the roofspace served by rooflights in the east and west roof slopes. The scheme also relates to the removal of a hedge and the erection of a summerhouse at the end of the garden, to the south of the dwelling.

The site is located Outside of the Centres as designated in the Island Development Plan.

Relevant History:

FULL/2011/3273 - Raise ridge height and erect extensions at lower and ground floor levels at side (west elevation) and front and rear with glazed terraces. Erect detached garage at front. Remove hedge, erect retaining wall and raise level of drive - granted

FULL/2015/2286 - Alterations to fenestration, install new flue, extend terrace and install glass balustrading (retrospective) - granted

Existing Use(s):

01 dwellinghouse

Assessment: *(Tick as appropriate)*

no representation

x

accords with policy

x

within curtilage

x

design acceptable

x

visual amenity acceptable

x

no material neighbour impact

x

traffic not affected

x

Policies considered most relevant:

Island Development Plan policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

IP7: Private and Communal Car Parking

Representation:

La Societe Guerneslaise - highlight that all types of hedges support nesting birds and other wildlife.

If the application is approved, it is requested that the removal of the hedge be undertaken outside of the main bird breeding season (March-July inclusive). If removal during the bird breeding season is considered essential, then the hedge should be inspected for current or recent use by birds (and other wildlife) by a suitably qualified person prior to removal. This would reduce the risk of disturbing or destroying animals which are protected under the Animal Welfare Ordinance 2012.

Also, whilst it is unlikely that bats would be roosting in the roof space, there is still a possibility that they could be encountered during the works and therefore recommend that roof renovations are undertaken with due vigilance and that expert advice be sought if bats are found.

Conclusion/Brief comment:

The proposed development and materials represents a good standard of design that respects the built and open landscape concerned. By providing multi-storey development, creating a roof extension and multi-storey extensions to the front and side of the dwelling, the proposal represents the efficient and effective use of land.

The scheme to extend the house has been designed to consider the health and well-being of occupiers of the development by providing flexible and adaptable accommodation that can respond to people's needs over time and offers accessibility to and within the building, including provision for a lift. The scheme incorporates large areas of glazing to the south to maximise solar gain as well as providing additional external amenity space through the provision of a new balcony.

Residential properties in the vicinity are located to the west, with open land to the south, east and north. The side/west elevation of the development has been designed to be blank in order to preserve privacy to the occupiers of the adjoining dwelling. The scheme has also been broken down into different elements in order to reduce its overall scale and bulk, with the main bulk of the building situated away from the common boundary with the adjoining property. The extensions to Awali will not result in overshadowing or unacceptable loss of light to the occupiers of this adjoining dwelling.

The siting of the properties in their respective plots mean, when considering the proposed balcony, that views of the immediate rear of Daylesford to the west will largely be obscured by this adjoining dwelling. The west projecting gable proposed will also offer some screening of the majority of the balcony with the element closest to the common boundary primarily acting as a route to the external staircase and across to the main terrace/seating area. The balcony will not therefore, result in unacceptable overlooking or loss of privacy to the occupiers of the adjoining dwelling.

The detached garage building has been designed to reflect the design and appearance of the main house, once extended. This represents a good standard of design in keeping with the built environment. Although the scheme would introduce a detached, pitched roof building to the front of the dwelling there is no uniform building line in this lane and other properties have development forward of the front elevation of the dwelling or the dwelling itself projects close to the road. The proposal will not therefore, appear unduly prominent or out of keeping in the locality. The proposed garage will not result in overshadowing or loss of privacy to the occupiers of adjoining dwellings given the distance from the common boundary with Daylesford, the use of high level rooflights to serve the first-floor accommodation and that any views would be towards to the frontage and parking area associated with this neighbouring dwelling.

A detached outbuilding housing a garden room, WC and office is proposed at the southern end of the garden with an area of decking to the north (exempt). The building has been designed with a flat roof and timber or composite clad exterior. The outbuilding will not result in overshadowing or unacceptable overlooking to the occupiers of the dwelling to the west. Views from the building are directed across the applicants own garden and the agricultural land to the east.

The proposal relates to the provision of garage parking for three vehicles with space on the drive for further parking and on-site turning. This is considered adequate to meet the needs of the dwelling once extended and meets the aims of Policy IP7.

Exempt solar panels are proposed on the southern roofslope of the dwelling and 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.

In view of the above it is recommended planning permission is granted for the proposed development. It would be reasonable to include an informative note relating to the use of the accommodation within the garage and summerhouse as being ancillary and incidental to the enjoyment of the main house.

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: 04 January 2022

