

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: Replace pitched roof with flat roof, alter fenestration, install cladding and construct 2 storey extension to side (east) of existing dwelling (Revised Scheme).

LOCATION: Bellevue House, 3 La Margion, La Rue du Crocq, St. Saviour.

APPLICANT: Mr T Nash

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: 21/03/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 26/11/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd: 7538-01 B1A, B2A, B3A, B4A, B6 & B7.

Application Ref: FULL/2021/2576

Property Ref: E007040001

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.No cladding shall be brought to the site until such time as details of the type, texture and colour of the cladding material(s) to be used have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development.

Expiry Date: This permission will cease to have effect on 20/03/2025 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/2021/2576
Property Ref: E007040001
Valid date: 26/11/2021
Location: Bellevue House 3 La Margion La Rue du Crocq La Rue du Crocq
St. Saviour Guernsey GY7 9XQ
Proposal: Replace pitched roof with flat roof, alter fenestration, install
cladding and construct 2 storey extension to side (east) of
existing dwelling (Revised Scheme).

Applicant: Mr T Nash

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.

4. No cladding shall be brought to the site until such time as details of the type, texture and colour of the cladding material(s) to be used have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a linked-detached 2-storey dwelling, part of a development that dates from the 1960's/70's. The garden lies to the east of the dwelling, forms the corner with La Route De La Margion, La Rue Du Crocq, and La Margion, and contains a WWII bunker. To the south and rear of the existing dwelling is a neighbouring one and a half storey dwelling with relatively shallow rear garden. The site is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2021/1488 - Demolish existing and erect new dwelling, and alterations to vehicle access – Approved September 2021.

FULL/2021/0173 - Extend and alter at ground and first floor level with first floor terrace to north east (side) elevation and alterations to fenestration. Erect garden shed/store and glasshouse to east boundary – Approved March 2021.

FULL/2020/0933 - Demolish existing and erect replacement dwelling – Approved December 2020.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

X
X
X
X

visual amenity acceptable
no material neighbour impact
traffic not affected

X
X
X

Policies considered most relevant:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

This application is to redevelop the existing dwelling and erect a large two storey extension to the east and southeast, and some alterations to the existing vehicle access.

Policy GP13 provides general support for householder development such as this, and planning permission has been granted three separate times for alternative schemes involving the demolition and replacement of the existing dwelling with a building of a similar scale to that proposed under this current application. This current application is to refurbish the existing dwelling and add a substantial extension.

The preceding text of Policy GP8 sets out that in less sensitive areas, located outside of the Conservation Areas, Areas of Biodiversity Importance and Site of Special Significance, a good standard of design will be expected and gives flexibility for homeowners to opt for traditional or contemporary designs. In this case, the built form adopted is considered to respect the surrounding area in terms of its scale, mass, form, materials, position and detailing.

With regards to potential overlooking and loss of privacy to the neighbouring dwelling to the south, the proposed first floor windows which already exist are not thought to be an issue. The new southeast facing bathroom window will be obscure glazed and the other two hallway windows are not thought to result in an unacceptable impact on the amenity of the neighbouring property.

Overall, the proposed development is considered to achieve a good standard of design for the purposes of Policy GP8, would have a reduced overbearing impact on the amenity of the neighbouring property to the south than would result from the previously consented schemes.

The alterations to the vehicular access comprise the removal of two flower beds, which are not thought to contribute to the character of the area and the alterations are considered acceptable in this case.

Issues relating to surface water drainage and proximity to the neighbouring dwelling in constructional terms fall to be considered separately under the Building Regulations.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

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

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: 10/03/2022

