

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 single storey flat roof extension and erect link extension at 1st floor level to south (rear) elevation, install dormer windows and rooflight to north (front) elevation and widen vehicle access.

LOCATION: Springfield, Rue Du Pont Vaillant, Vale.

APPLICANT: Mr B Snell

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: 18/08/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/01/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: 7521-01 B1, B2C, B3D & B6.

Application Ref: FULL/2021/2652

Property Ref: C020160005

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 glazing within the dormer window to the south elevation shall be recessed 1m from the outer edge of the dormer structure as shown on approved drawing 7521-01/B2C. The glazing shall be retained in that position in perpetuity.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

5.The ground floor window to the east elevation of the extension serving the kitchen/dining room shall be fixed shut (not-openable), obscure glazed (to Pilkington Level 3 or equivalent) and shall be retained as such in perpetuity.

Reason - To protect the amenities of the adjoining residents due to its close proximity to the east boundary.

6.Notwithstanding the information submitted, the first floor window to the west elevation of the extension serving the bathroom shall be fixed shut (not-openable), obscure glazed (to Pilkington Level 3 or equivalent) and shall be retained as such in perpetuity.

Reason - To protect the amenities of the adjoining residents due to its close proximity and relationship to the neighbouring property.

7.The flat roof link shall be clad in either natural slate or zinc cladding on the east and west elevations within 2 months of the link being constructed.

Reason - To overcome ambiguity on the drawings and in the interest of visual amenity.

8.Within 2 months of the vehicular access being widened, the roadside wall shall be

made good to match as closely as possible to the boundary treatment, in accordance with the approved details on drawing number 7521-01B3B.

Reason - in the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 17/08/2025 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/2021/2652
Property Ref: C020160005
Valid date: 13/01/2022
Location: Springfield Rue Du Pont Vaillant Vale Guernsey GY6 8DA
Proposal: Erect single storey flat roof extension and erect link extension at 1st floor level to south (rear) elevation, install dormer windows and rooflight to north (front) elevation and widen vehicle access.

Applicant: Mr B Snell

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. The glazing within the dormer window to the south elevation shall be recessed 1m from the outer edge of the dormer structure as shown on approved drawing 7521-01/B2C. The glazing shall be retained in that position in perpetuity.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

5. The ground floor window to the east elevation of the extension serving the kitchen/dining room shall be fixed shut (not-openable), obscure glazed (to Pilkington Level 3 or equivalent) and shall be retained as such in perpetuity.

Reason - To protect the amenities of the adjoining residents due to its close proximity to the east boundary.

6. Notwithstanding the information submitted, the first floor window to the west elevation of the extension serving the bathroom shall be fixed shut (not-openable), obscure glazed (to Pilkington Level 3 or equivalent) and shall be retained as such in perpetuity.

Reason - To protect the amenities of the adjoining residents due to its close proximity and relationship to the neighbouring property.

7. The flat roof link shall be clad in either natural slate or zinc cladding on the east and west elevations within 2 months of the link being constructed.

Reason - To overcome ambiguity on the drawings and in the interest of visual amenity.

8. Within 2 months of the vehicular access being widened, the roadside wall shall be made good to match as closely as possible to the boundary treatment, in accordance with the approved details on drawing number 7521-01B3B.

Reason - in the interests of visual amenity.

OFFICER'S REPORT

Site Description:

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

The property comprises a detached, pitched roof dwelling located to the south of Rue du Pont Vaillant, and is served by car parking to the front and an elongated

garden to the rear. The property is one of a series of similar style properties in the locality, with the majority of the properties being much altered and extended to the rear over the years which range in styles, forms and scale.

Relevant History:

PAPP/2001/4396	Install dormer windows and rooflights.	Granted
PAPP/2001/3392	Install dormer window and rooflights	Granted
PAPP/1996/3176	Replace porch.	Granted
PAPP/1996/1672	Replace sunlounge.	Granted

Existing Use(s):

Residential

Brief Description of Development:

Planning permission is sought to erect a single storey flat roof extension and erect link extension at 1st floor level to the rear elevation, install dormer windows and a roof light to front elevation and widen the vehicle access.

Concerns were raised with regards to the potential overlooking impact of the development on neighbouring residents from the original bathroom window (west facing) and the dormer window to the rear, as well as the finish of the flat roof link. Clarification was also sought in relation to the ground floor window serving a kitchen/dining room.

The agent has submitted revised plans and has obscure glazed the bathroom window and included a roof-light, recessed the dormer window within its frame and included obscure glazing to the ground floor window serving the kitchen/dining room, in attempt to overcome the concerns raised.

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

GP8 Design
GP9 Sustainable Development
GP13 Householder Development
IP9 Highway Safety, Accessibility and Capacity

Representations:

The Authority has received three letters of representation from one party objecting to the original and revised proposals. Grounds for objection principally relate to the following issues:-

- The description of the development is not accurate.

- The proposed second storey gable will have an overshadowing and overbearing effect on internal and external amenity space.
- The proposed east elevation includes a window, but is not to be obscured glazed unlike the existing conservatory.

Consultations:

None.

Summary of Issues:

- Whether the design, scale, mass, siting, form and materials of the proposed extension and vehicle access 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 proposal adopts a good standard of design by virtue of its scale, form, massing, siting and materials. Due to its position and design, the proposal will not have a detrimental impact on the character of the area, visual amenity, or the amenities of neighbouring residents.

In light of the flexibility afforded to householder development with regards to design matters in less sensitive areas (Policy GP8), the proposed first flat roof dormer windows to the front and rear, together with the proposed pitched roof extension adopt a good standard of design as they relate well to the original form, scale, mass of the original dwelling. The extension and dormers are proportionate and subservient to the main house.

Whilst some concerns are raised with regards to incorporation of a flat roof link, the flat roof link is setback from both the east and west gable respectively and therefore would not be unduly prominent in the street scene and would not rebut the general support in favour of householder development (Policy GP13). Cladding both ends of the flat roof link in slate or zinc would help to limit its visual effect in the street scene due to the dark appearance of the material. However, due to the ambiguity of the

materials proposed to the east and west elevations of the flat roof link, it is reasonable to attach a condition to clarify the proposed cladding material. In addition, the neighbouring property to the east (Glendalough) is positioned in such a way that it will help to screen the flat roof link in public vantage points along Rue Du Pont Vaillant. Overall, the incorporation of a flat roof link in this particular circumstance based on the factors above is considered to achieve a 'good' standard of design for the purposes of Policy GP8.

Careful consideration has been given to the effect of the development on the amenities of neighbouring residents. The proposed extension and flat roof link will be sited adjacent to neighbouring properties, with particular attention to Glendalough due to its proximity.

The proposed first floor extension is likely to result in overshadowing and have an overbearing effect due to its size and proximity to the boundary. Although, the degree of harm caused on the amenities of neighbouring residents is not considered to be so substantial as to rebut the general support in favour of householder development, or to warrant refusal, when taking into account the scale of the extension relative to the main house, recessed position of the east and west gable ends of the flat roof link, together with the orientation and relationship to neighbouring properties. In particular, the amenities of neighbouring residents to the east and west of the application site are likely to be most affected during the early and latter part of the day when taking the orientation of properties along Rue du Pont Vaillant, and therefore would not result in a significant level of harm which would justify refusal.

Despite the unneighbourly relationship between the proposed ground floor window on the east elevation of the property and its close proximity to the boundary, the agent has amended the application and has included an obscure glazed window in the interest of protecting the amenities of neighbouring residents. The window shall be conditioned appropriately.

Due to the distance between the west elevation of the ground floor extension and the height of the existing boundary treatment, it would not be reasonable to condition the proposed living room window to be obscure glazed. The first floor obscure glazed window shall be conditioned appropriately to protect the amenities of neighbouring residents.

The amendments secured recessing the first floor rear dormer window within its frame will help to restrict views towards neighbouring residents to the east and west of the application site. Whilst the dormer is likely to result in overlooking, the degree of harm caused is unlikely to be sufficient to justify refusal when taking into account the revisions made, coupled with its distance away from the east boundary and its orientation which will face directly towards the rear garden of the application site. No overlooking concerns are raised to the dormer windows to the front of the dwelling.

The proposed width of the vehicle access is a reasonable aspiration of the property owner and would not have a detrimental effect of the character of the area or visual amenity.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

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

Date: 16/08/22