

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 roof ridge height and extend and alter at ground and 1st floor level with 1st floor balcony to west (rear) elevation, install external insulating render system (revised scheme).

LOCATION: Eastleigh, Retot Lane, Castel.

APPLICANT: Ms A Fusellier

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: 24/03/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 17/01/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: G E Le Friec - A.F. / 01 & /02

Application Ref: FULL/2021/2687

Property Ref: D01093B000

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 site cabin and heras fencing to the rear of the property shall be erected only during the construction works on site and shall be removed entirely from the site following the completion of development.

Reason - The design and appearance of the cabin and fencing make them unsuitable for a permanent permission.

Expiry Date: This permission will cease to have effect on 23/03/2025 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/2021/2687
Property Ref: D01093B000
Valid date: 17/01/2022
Location: Eastleigh Retot Lane Castel Guernsey GY5 7EG
Proposal: Raise roof ridge height and extend and alter at ground and 1st floor level with 1st floor balcony to west (rear) elevation, install external insulating render system (revised scheme).

Applicant: Ms A Fusellier

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).

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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 site cabin and heras fencing to the rear of the property shall be erected only during the construction works on site and shall be removed entirely from the site following the completion of development.

Reason - The design and appearance of the cabin and fencing make them unsuitable for a permanent permission.

OFFICER'S REPORT

Brief Description of the site:

The property comprises a detached, hipped roof bungalow located on the west side of Le Retot. The dwelling is located in the north-east corner of the land parcel, with the domestic curtilage being extended to the west of the property. The southern half of the site comprises agricultural land. The site is located Outside of the Centres as designated in the Island Development Plan

Planning permission was granted in 2018 which primarily involved erecting a 1.5 storey extension to the rear together with a number of alterations to the property.

Planning permission is now sought to follow on from the previous permission (FULL/2017/2654) and to increase the ridge height of the property and altering the form of the dwelling-house, create a balcony to the south elevation and alter the fenestration.

Relevant History:

FULL/2017/2654	Demolish existing garage and erect 1.5 storey pitched roof extension with first floor balcony to rear (west) elevation, single storey flat roof extension to side (south) elevation, and alter dwelling including installation of external insulation render system, flue and air source heat pump (north elevation). Remove hedges and increase vehicular access, construct planters, install gates, fencing and bollard lighting, and install temporary site cabin and heras fencing.	Granted
FULL/2017/1210	Extend domestic curtilage and erect post and rail fencing	Granted

Existing Use(s):

Residential

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

✓
✓
✓
✓

visual amenity acceptable
no material neighbour impact
traffic not affected

✓
✓
✓

Policies considered most relevant:

GP8 Design
GP9 Sustainable development
GP13 Householder development

Conclusion/Brief comment:

Policy GP13 of the Island Development Plan indicates that alterations and extensions to residential properties will be supported where there is no significant adverse impact on the amenities of adjoining properties; the design, scale, mass and form of development does not detract from the character of an open area; and there is no adverse effect on the special interest of a Conservation Area, Area of Biodiversity Importance, Protected Building or Protected Monument.

In this case, Policies GP8 and GP9, relating to Design and Sustainable Development, would also be relevant.

The proposal adopts a good standard of design by virtue of its scale, form, massing, siting, materials, and is similar to that approved in 2018. Increasing the ridge height of the property is supported under Policy GP8 where it is encouraged to make effective and efficient use land whilst respecting the surrounding built environment.

Careful consideration has been given to the effect of the development on the amenities of neighbouring residents. It is noted that the windows serve a bathroom and bedroom. Furthermore, the immediate area of neighbouring land (to the north of the application site) appears to be recognised as agricultural land and therefore a sufficient distance exists between the proposed window and roofline and the neighbouring properties to not result in unacceptable overlooking or loss of privacy.

The neighbouring property to the south features a first-floor balcony/terrace area and this proposal will adopt a similar approach. The proposed balcony to the south of the first-floor gable end is sufficiently setback from the neighbouring boundary to the south, where an agricultural field separates the dwelling from adjoining dwellings, to not cause undue harm to the amenities of neighbouring residents.

The alteration to the gable end Juliet balcony together with the alterations to the ground floor are supported under policy and does not raise any significant overlooking concerns.

Overall, the proposal will not have a detrimental impact on the character of the area, visual amenity, or the amenities of neighbouring residents.

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.

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.

Recommendation:



Grant with Conditions

Date: 23/03/22

