

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: Extend, raise and alter roof form to create first floor accommodation, extend at ground floor level to south (rear) and west (side) elevation and install external insulating render system.

LOCATION: Halvergate, Rue Du Felconte, St. Pierre Du Bois.

APPLICANT: Mr & Mrs N Merrien

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: 02/03/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 05/01/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTECH: NM-21-1047-02A

Application Ref: FULL/2021/2688

Property Ref: F002510000

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 01/03/2025 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/2021/2688
Property Ref: F002510000
Valid date: 05/01/2022
Location: Halvergate Rue Du Felconte St. Pierre Du Bois Guernsey GY7 9QB
Proposal: Extend, raise and alter roof form to create first floor accommodation, extend at ground floor level to south (rear) and west (side) elevation and install external insulating render system.
Applicant: Mr & Mrs N Merrien

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.

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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.

OFFICER'S REPORT

Site Description:

The property known as 'Halvergate' is a small mid-20th century bungalow which sits close to the middle of the eastern boundary of the plot. The dwelling faces north onto Fief la Comte, with a front door and pedestrian access onto the road. Along the south boundary runs Route du Felconte and the vehicular entrance is off this road. There are neighbouring properties to the east and west and across the road to the north (these properties are at a lower level as the land falls away to the north). The property is located Outside of the Centres and is within an Agriculture Priority Area as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

The application is to extend, raise & alter the roof form to create first floor accommodation, extend at ground floor to the south (rear) and west (side) elevations and install an external insulating render system.

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

GP8 – Design

GP9 – Sustainable Development

GP13 – Householder Development

Representations:

There has been one letter of representation and the issues are;

- The proposed ground and first floor north facing windows will overlook the dwelling across the road.
- Raising the ridge would create an overbearing property due to the prominent position of the property on the crest of a hill.
- Over development resulting in poor neighbour amenity, the scheme increases the habitable accommodation of over 180%.
- Design standards – room sizes, the proposed ground floor room is narrow, which may be an awkward living space.
- The glazed gable on the north elevation is not sustainable and would result in significant heat loss.

Consultations:

None

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Policy GP8, amongst other things, expects new development to achieve a good standard of architectural design, to make the most effective and efficient use of land and to respect the character of the local built environment. It highlights that multi-storey buildings are a more efficient use of land than single storey buildings and it states that development proposals should consider a multi-storey design from the outset, unless there are overriding reasons why this design approach would be unacceptable within a particular locality.

GP13 supports development where there are no significant adverse effects on the amenities of neighbouring properties. Both policies provide for a high degree of personal choice on design matters in less sensitive areas (outside of Conservation Areas and not affecting the setting of protected buildings).

The scheme raises the ridge line by approximately 1m, which is not considered to be excessive when allowing for first floor accommodation. The nearest neighbour would be 1.5m lower, which is considered appropriate. The west extension has a lower ridgeline, which lessens the impact and shows it is subservient to the original part of the dwelling. It steps down 700mm as the land slopes down and the lower neighbour to the west has a ridge line approximately 3m below, which considering the dwelling sits at lower ground level and the distance between the properties is not considered unreasonable.

The property to the north also sits at a lower level, but is over c.25m away, across the road. In this instance, overlooking is not considered a material consideration due to the distance and the fact it is the front of the neighbouring property and not the private rear amenity space.

The proposals are considered to achieve a good standard of design, creating first floor accommodation which is an effective and efficient use of land. The scheme uses materials which complement the existing materials. The extension will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation.

The scale and massing of the new extension is not considered to have a detrimental effect on the character and amenity of the surrounding area, and is not considered to have any detrimental impacts on any of the immediate neighbours.

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.

3 - General material considerations set out in the General Provisions Ordinance.

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. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

For the reasons set out within this report, it is recommended that planning permission be granted, subject to conditions.

Date: 25/02/2022

