

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 2 storey extension including dower unit to east (side) elevation, 1.5 storey extension to west (side) elevation, single storey extension and rooflights to south (rear) elevation, install dormer windows and rooflights to north (front) elevation, external insulating render system, cladding and alteration to fenestration.

LOCATION: Penrhys, Clos Du Cordage, Route Du Tertre, Castel.

APPLICANT: Mr J Gallienne

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: 12/05/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/02/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: 100 - 02 B1A, B2A & B3A.

Application Ref: FULL/2022/0106

Property Ref: D011360001

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.Notwithstanding the submitted details, the eills of the two lounge rooflight in the south facing elevation of the property hereby approved shall be set a minimum of 1.7 metres above the first (finished) floor level and shall be retained as such thereafter in perpetuity.

Reason - To protect the reasonable amenities of neighbouring residents.

Expiry Date: This permission will cease to have effect on 11/05/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the erection of an extension to be used as an integral part of and incidental to the principal dwelling presently known as Gallienne. 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.

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/2022/0106
Property Ref: D011360001
Valid date: 04/02/2022
Location: Penrhys Clos Du Cordage Route Du Tertre Castel Guernsey GY5 7JJ
Proposal: Erect 2 storey extension including dower unit to east (side) elevation, 1.5 storey extension to west (side) elevation, single storey extension and rooflights to south (rear) elevation, install dormer windows and rooflights to north (front) elevation, external insulating render system, cladding and alteration to fenestration.

Applicant: Mr J Gallienne

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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4. Notwithstanding the submitted details, the eills of the two lounge rooflight in the south facing elevation of the property hereby approved shall be set a minimum of 1.7 metres above the first (finished) floor level and shall be retained as such thereafter in perpetuity.

Reason - To protect the reasonable amenities of neighbouring residents.

INFORMATIVES

For the avoidance of doubt, this decision permits the erection of an extension to be used as an integral part of and incidental to the principal dwelling presently known as Gallienne. 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.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Penrhys' is a detached 1970's one and a half storey dwelling which sits in the southeast corner of the site. Route du Tertre runs along the northern boundary and Clos du Cordage runs along the west boundary with the driveway along the south boundary. There are neighbouring properties to the east and south. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

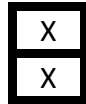
Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation ☒
accords with policy ☒

visual amenity acceptable ☒
no material neighbour impact ☒

within curtilage
design acceptable



traffic not affected



Policies considered most relevant:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

This application is to erect a two storey extension to the east side elevation housing a garage, dower unit and games room. Erect a one and a half storey extension to the west side elevation housing two ground floor bedrooms and a first floor dining room. A single storey porch and some rooflights to the south elevation and dormer windows and rooflights to the north elevation.

Initially the application was deferred because the two storey east side elevation had been designed as a flat roof and due to the closeness to the neighbouring properties was considered to be too overbearing. The amended scheme was submitted, omitting the second storey over the garage, and omitting the games room from the first floor.

There is scope for the redesigned proposals within the site, the surrounding built environment is made up of different aged buildings with no discerning style, so the scale, massing and overall appearance of the proposed dwelling would not be incongruous with the surrounding area, or have any detrimental effects on the character and amenity of the surrounding area.

Although the flat roof two storey element attached to the north elevation (which also appears in views of the west elevation) is of different roof form and style to the host building, it will be seen in context with large flat roof dormers and horizontal glazing in that elevation. Furthermore it will be limited in views from the west due to a neighbouring property. On balance given that this site is an unallocated area in the IDP where flexibility in the design approach is allowed for the proposal is considered to be acceptable. The extensions will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation.

The east elevation does not have any fenestration at first floor, negating any overlooking into the neighbours garden and on the south elevation there will only be rooflights, the height of which can be conditioned to be at a cill height of 1.7m from finished floor level in the lounge, to prevent any overlooking into the southern neighbours garden. Therefore there will be no detrimental impacts to any of the neighbouring properties amenity.

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: 10/05/2022

