

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: Demolish extension and outbuilding. Extend and alter at ground floor, first floor and second floor levels to south (rear) elevation and install rooflights to north (front) elevation.

LOCATION: La Campere, Rue Du Campere, St. Pierre Du Bois.

APPLICANT: Mr & Mrs S & D Fallaize

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 17/01/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DLM Architects: 1172_9, _10, _11, _12, _13, _14, _15 & 16

Application Ref: FULL/2022/0156

Property Ref: F009110000

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 development shall begin on site until precise details of the privacy screening enclosing the western side of the first floor balcony hereby permitted have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details and the privacy screening shall be installed prior to first use of the balcony and shall thereafter be so maintained and retained in perpetuity.

Reason - The information provided with the application does not include full details of the proposed feature. This condition is imposed to ensure that the development does not result in unacceptable overlooking impacts on the neighbouring property to the west.

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/2022/0156
Property Ref: F009110000
Valid date: 17/01/2022
Location: La Campere Rue Du Campere St. Pierre Du Bois Guernsey
GY7 9DA
Proposal: Demolish extension and outbuilding. Extend and alter at
ground floor, first floor and second floor levels to south (rear)
elevation and install rooflights to north (front) elevation.
Applicant: Mr & Mrs S & D Fallaize

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 development shall begin on site until precise details of the privacy screening enclosing the western side of the first floor balcony hereby permitted have been

submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details and the privacy screening shall be installed prior to first use of the balcony and shall thereafter be so maintained and retained in perpetuity.

Reason - The information provided with the application does not include full details of the proposed feature. This condition is imposed to ensure that the development does not result in unacceptable overlooking impacts on the neighbouring property to the west.

OFFICER'S REPORT

Site Description:

The property known as 'La Campere' is a detached two and a half storey traditional pitched roof dwelling with attached dower. The property is set back from and faces northwest onto Rue du Campere. There is a neighbouring dwelling to the west and another detached dwelling c.50m distant to the 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.

Brief Description of Development:

This application is to demolish an extension and an outbuilding, extend and alter at ground floor, to house a new family room which connects to a greenhouse and workshop. Extend at first and second floor levels with two rear gable dormers. The first is at the back of the dower unit, replacing the extension and the second is at first and second floor levels reconfiguring the first floor master bedroom and ensuite.

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 planning issues are:

- The two large south facing glazed gable walls which extend through first and second floor levels are entirely incongruous in this setting and completely out of keeping with the local architectural vernacular.
- The proposed first floor balconies look straight into the southern neighbours garden and the single storey dwelling. The impact of scale, let alone overlooking, appears overbearing in the extreme, contrary to policy GP13.
- There can be no views of fields to the south from the application property because the land rises up so sharply that the only view can be into the neighbours garden.
- The applicant has provided token screening from the balcony to the westerly neighbours.
- The present scheme is rendered entirely unacceptable from a privacy and overlooking perspective.
- The design, scale, mass and form would seem to greatly detract from the open character of this open location, given the property appears to be doubling in size.

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.

Policy 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 proposals are considered to achieve a good standard of design, the majority of the works are to the rear of the building, which respects the character of the original dwelling within the surrounding built environment by leaving the front façade intact. The extensions will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation.

The proposed pitched-roof sun room, which is to replace the existing flat roof extension is considered to be an acceptable change which would not alter, or change, any views to or from the dower unit. The ground level of the dower is equal to the first floor of the attached main house.

The proposed ground floor extension which connects to a new greenhouse and workshop is considered to be an efficient use of land and acceptable. The first floor balcony and glazing serving the second floor bathroom are considered the biggest change to the rear elevation of the property, with the greatest potential to impact on neighbouring amenity. Possible overlooking to the westerly neighbours has been mitigated with a full height timber privacy screen at first floor level. This can be controlled by way of condition. The balcony and glazing would be set back some 18m from the boundary with neighbouring property to the south, while the neighbouring dwelling itself is c.50m away, both of which are considered far enough away not to result in any unacceptable overlooking impacts.

The scale and massing of the new extensions are not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will they have any impacts on either 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.

Date: 28/02/2022