

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 conservatory and sheds. Erect two storey extension to east (side) and south (rear) elevation, erect dormer extension at first floor level to north (front) elevation and single storey extensions (south elevation and west elevation (incorporating raised terrace)).

LOCATION: Serenity, Le Rocher Lane, Vale.

APPLICANT: Mr & Mrs J Hager

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: 24/05/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 21/03/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Chris Workman & Co Ltd: JH:21:22 03A, 04A & 05A

Application Ref: FULL/2022/0440

Property Ref: C02165A000

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 solid timber privacy screen hereby approved to the southern edge of the ground floor raised terrace shall be a minimum height of 1.8m above the finished floor level of the terrace and shall be installed prior to the terrace being brought into use. The timber privacy screen shall thereafter be retained at all times.

Reason - To preserve the privacy of the occupiers of the adjoining dwelling.

Expiry Date: This permission will cease to have effect on 23/05/2025 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/2022/0440
Property Ref: C02165A000
Valid date: 21/03/2022
Location: Serenity Le Rocher Lane Vale Guernsey GY6 8DN
Proposal: Demolish conservatory and sheds. Erect two storey extension to east (side) and south (rear) elevation, erect dormer extension at first floor level to north (front) elevation and single storey extensions (south elevation and west elevation (incorporating raised terrace)).

Applicant: Mr & Mrs J Hager

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 solid timber privacy screen hereby approved to the southern edge of the ground floor raised terrace shall be a minimum height of 1.8m above the finished floor level of the terrace and shall be installed prior to the terrace being brought into use. The timber privacy screen shall thereafter be retained at all times.

Reason - To preserve the privacy of the occupiers of the adjoining dwelling.

INFORMATIVES

OFFICER'S REPORT

Brief Description of the site:

Serenity is a detached two and one and a half storey dwelling situated along a private drive serving two other dwellings and does not have a road frontage. The property has a blank gable to the east and a dormer in the north roofslope facing across the garden to the north. Four sheds/summerhouses exist on the site, adjacent to the south site boundary. The garden is at a lower level than the dwelling and parking is to the north of the house, adjacent to the boundary and parking with 1 Les Sommeilleuses (Petit But). 1 Les Sommeilleuses has ground and first floor gable windows in the west elevation facing the application site.

The application as originally submitted related to the demolition of the conservatory and erection of a single-storey pitched roof extension with raised terrace to the west elevations (terrace projecting towards the south site boundary). A two-storey extension was proposed to the east elevation incorporating a new flat roof dormer in the north elevation.

The application was deferred due to concerns relating to loss of light and outlook from windows in the gable of the neighbouring dwelling (Petit But) to the east and the potential for overlooking and loss of privacy from the raised terrace to the adjoining garden to the south. The scheme was amended to omit the first-floor extension adjacent to Petit But and introducing a 1.8m high timber screen to the southern edge of the raised terrace.

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

Relevant History:

None.

Existing Use(s):

01 dwellinghouse

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

Island Development Plan policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

The proposed extensions and alterations are in keeping with the existing dwelling, and represent a good standard of design which respects the local built environment.

The extension to the east would be in close proximity to the boundary with the neighbouring property and the windows in the gable end wall. The proposed extension as amended (two-storey and single-storey) would not have a detrimental impact on sunlight and daylight to these windows. With regard to the other extensions, the scheme has been designed to direct views away from the neighbouring garden to the south. Being situated to the north of properties to the south, the extensions will not result in overshadowing or loss of light to these neighbouring occupiers.

The elevated position of the proposed raised terrace to the west of the dwelling would, without the introduction of a high screen, result in overlooking and loss of privacy to the occupiers of the adjoining garden given its height in relation to the adjoining garden level and the height of any exempt boundary treatments. It is reasonable and appropriate therefore to require the 1.8m high screen to be installed and retained in order to preserve the privacy of the occupiers of the adjoining occupiers to ensure compliance with the Island Development Plan. Given the distance between the sunlounge doors facing south and the proposed privacy fence the screen would not undermine outlook from extension particularly given the fact windows are also proposed to the west and north elevations of the extension.

The scheme offers future occupiers with flexible and adaptable accommodation that can respond to people's needs over time. The accommodation will also benefit from

adequate sunlight and daylight demonstrating that the scheme considers the health and well-being of occupiers of the development.

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.

In view of the above, it is recommended planning permission is granted for the proposed extensions and alterations.

Recommendation:

Grant with Conditions



Date: 24 May 2022

