

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 extension at first floor level to south (side) elevation and install dormer window to west (rear) elevation.

LOCATION: Greyston, Gorey Drive, Route Des Coutures, Vale.

APPLICANT: Ms S Flouquet & Mr C Loveridge

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 22/03/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Paul Vaudin & Associates Ltd: 22-001-02

Application Ref: FULL/2022/0457

Property Ref: C007310005

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 first floor dormer windows in the west elevation shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent), which shall thereafter be retained at all times. The side lights are to be fixed shut, with a top hung central opening light. No changes shall be made to these windows, nor shall any additional windows be inserted in this elevation.

Reason - To minimise the effect of the development on the privacy and amenities of nearby 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:-

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/2022/0457
Property Ref: C007310005
Valid date: 22/03/2022
Location: Greyston Gorey Drive Route Des Coutures Vale Guernsey
GY3 5QT
Proposal: Erect extension at first floor level to south (side) elevation and
install dormer window to west (rear) elevation.
Applicant: Ms S Flouquet & Mr C Loveridge

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.

4. The first floor dormer windows in the west elevation shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent), which shall thereafter be retained at all times. The side lights are to be fixed shut, with a top hung central opening light. No changes shall be made to these windows, nor shall any additional windows be inserted in this elevation.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

OFFICER'S REPORT

Site Description:

The property known as 'Greyston' is a newly built one and a half storey semi-detached dwelling located to the rear of Gorey Drive apartments, situated facing east onto Route des Coutures. The other semi is attached to the north elevation, and there are other residential dwellings in each direction. The property is located within the St Sampson Main Centre Outer Area as defined in the Island Development Plan (IDP).

Relevant History:

FULL/2018/1622 – Demolish existing property and erect 6 units of residential accommodation (3 flats and 3 dwellings) with associated parking and landscaping – Approved October 2018.

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

This application is to erect a first floor extension over the single storey element on the south elevation and install an opaque glazed dormer window to the west elevation, to house a bathroom and a roof light on the same roof slope, also to have opaque glazing.

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

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Representations:

There have been two letters of representation and the planning issues are:

- It was understood that the houses were built as 'affordable housing', the proposals will take the house out of the 'affordable housing' bracket
- The proposals will equate to the dwelling needing additional parking, there is enough traffic in the area, especially as the Camp Dolent development will create traffic chaos on a main school route, this will only add to that problem.
- The proposals will mean no sunlight in the mornings as the westerly neighbour is shaded by this property already.
- The new build housing in the area all have roof lights instead of dormers to limit the vision in to the neighbouring properties. To allow the dormer window would be imposing to the neighbours with the house being so close, and it would be out of keeping with the other properties.
- More than one car parking space should not be necessary at a first time buyers house.
- To be able to change the design so soon after the development has been completed makes a mockery of the planning process.

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.

Whilst it may have been the stated intention of the applicant under the previous application to provide affordable housing, this was not a requirement of planning policy for this site and the nature of the housing did not form a material planning consideration and was not controlled by planning condition. Since the houses have been sold, each home owner has their own personal aspirations and there is scope within the IDP to enable properties to be extended/altered. Each application is assessed on its own merits taking into account the relevant policies of the IDP. No conditions were put on the previous approval (FULL/2018/1622) for the construction of the semi-detached dwellings, when it came to first floor windows.

Home owners are always going to have aspirations when it comes to improving their properties, and the Authority and Island Development Plan are in place to ensure any improvements are within policy, are appropriately designed and do not have any detrimental impacts on neighbour amenity.

In this instance, the proposed dormer window is to provide light, ventilation and headroom to a bathroom, which would require opaque glazing. This can be conditioned so that the glazing has to remain thereafter in perpetuity unless otherwise agreed in writing by the Authority. The central section will be top hung with the side lights fixed, which ensures even when the window is open, there will be no overlooking.

The first floor extension achieves a good standard of design, using 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, nor will it have any impact on either of the immediate neighbours. This is due to the orientation of the building, the distances between the boundary and the properties and the limited additional impact given the scale of the proposed roof form.

The accompanying supporting letter mentions laying gravel for an additional car parking space. However, the area is already hard landscaped, and so the additional car parking is not a planning concern and would not harm the visual character of the surrounding area. The proposal will create two car parking spaces which complies with the maximum car parking standards for a dwelling of the size (including the alterations proposed) as set out in Supplementary Planning Guidance: Parking Standards and Traffic Impact Assessments (2016).

Whilst it may have been the stated intention of the applicant under the previous application to provide affordable housing, it was not a requirement of planning policy for this site and the nature of the housing did not form a material planning consideration or a planning requirement imposed by condition.

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: 10/05/2022