

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: Raise and alter roof ridge height and extend and alter at ground floor level and create accommodation at 1st floor level.

LOCATION: Selhurst, Route De Cobo, Castel.

APPLICANT: Mr G Ison

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: 24/06/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/04/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design Ltd - 21-1309 PD/01A, PD/02A, PD/03B & PD/04B.

Application Ref: FULL/2022/0625

Property Ref: D01433B000

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 windows in the northwest elevation shall be glazed with obscure glass to Pilkington Level 3 (or equivalent) and shall be retained in perpetuity.

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 23/06/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Notwithstanding the drawing note on the first floor plan (PD/03) relating to the northeast elevation window serving bedroom 2 the Planning Service recommends that this be glazed with clear glass in the interests of the amenities of occupiers of the accommodation.

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/2022/0625
Property Ref: D01433B000
Valid date: 12/04/2022
Location: Selhurst Route De Cobo Castel Guernsey GY5 7UR
Proposal: Raise and alter roof ridge height and extend and alter at ground floor level and create accommodation at 1st floor level.
Applicant: Mr G Ison

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. The first floor windows in the northwest elevation shall be glazed with obscure glass to Pilkington Level 3 (or equivalent) and shall be retained in perpetuity.

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

INFORMATIVES

Notwithstanding the drawing note on the first floor plan (PD/03) relating to the northeast elevation window serving bedroom 2 the Planning Service recommends that this be glazed with clear glass in the interests of the amenities of occupiers of the accommodation.

OFFICER'S REPORT

Brief Description of the site:

Selhurst is a detached hipped roof bungalow with flat roof rear extension situated to the western side of Route de Cobo.

The application relates to the erection of a ground floor extension to the front of the dwelling with the existing roof removed to allow for the formation of a first floor, creating a two-storey flat roof dwelling with timber clad exterior.

Concerns were raised regarding the quality of the accommodation to be provided in bedroom 2 with only a rooflight and obscure glazed window. Whilst these would offer light and ventilation there would be little in the way of outlook from the accommodation which would not demonstrate accommodation that considers the health, well-being and future living environment of occupiers. The application was deferred and the first-floor layout amended to provide bedroom 2 with outlook to the front of the site and with secondary obscure glazed windows in the side elevations. A drawing note remains on one drawing relating to the obscure glazing of the front window however, this is not replicated on other plans.

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

Relevant History:

FULL/2021/1640 – Erect porch to south-east elevation – granted

Pre-application advice was sought in this case.

FULL/2017/3135 – Widen vehicular access – granted

FULL/2017/1235 - Erect extension to rear between dwelling and garage, raise garage roof, alterations to fenestration and demolish chimneys - granted

FULL/2013/4031 - Raise ridge height to form habitable accommodation and erect 1.5 storey extension to rear (south west elevation) – granted

Existing Use(s):

01 dwellinghouse

Assessment: *(Tick as appropriate)*

no representation

x

accords with policy

x

within curtilage

x

design acceptable

x

visual amenity acceptable

x

no material neighbour impact

x

traffic not affected

x

Policies considered most relevant:

Island Development Plan policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

Under the Rural Area Plan (now superseded) planning permission (FULL/2013/4031) was granted to erect a pitched roof extension to Selhurst in order to provide first floor accommodation. This would have seen the overall height of the building increase to approximately, 5.8m (reduced from 6m) and be taller than the adjoining development.

It is noted that there is a uniformity to the development in this part of Route De Cobo with a number of similar hipped roof bungalows situated to the southwest side of the road however, Policy GP13 sets out that in non-designated areas such as this there will be less prescriptive control applied “providing householders with greater freedom of choice with regard to private property development”. The scheme represents a good standard of design that will respect the local built environment. Furthermore, the erection of a first-floor extension would make more efficient and effect use of this site when considering Policy GP8 of the Island Development Plan.

The scheme indicates that the first-floor extension would sit between the built development either side of Selhurst and as a result, will not result in unacceptable overshadowing or loss of light to the occupiers of the adjoining dwellings. Fenestration in the side elevations of the development have been limited and are shown to be obscure glazed which will manage the potential for overlooking and loss of privacy.

Fenestration in the rear elevation of the extension has been set in from the gable walls of the extension and therefore further from site boundaries, directing views primarily across the application site and with only oblique views of the adjoining gardens. There is adequate distance between the proposed front windows and properties on the opposite side of Route de Cobo to ensure that the potential for loss of privacy is kept within acceptable limits.

To ensure that the users of bedroom 2 benefit from outlook the scheme was amended through the alteration of the internal layout to provide the option of a clear glazed window to the front of the building. As outlined above, one drawing note still refers to this window being obscure glazed and the plans also state “final layout to clients choice”. It is not reasonable to impose a condition requiring the window to be clear glazed however, an informative note can be placed on the permission highlighting the benefit of the window being clear glazed for the benefit of occupiers. The scheme also offers accessibility to and within the ground floor of the building for people of all ages and abilities.

The scheme has considered the health and well-being of neighbours of the development and the future living environment of occupiers of the development when considering Policies GP8, GP9 and GP13 of the Island Development Plan.

With regard to Policy GP9: Sustainable Development, it has been demonstrated that the proposed development will comply with Building (Guernsey) Regulations 2012 and therefore has taken into account the use of energy, resources and any adverse impact on the environment.

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: 23 June 2022

