

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 at ground and first floor including 1st floor terrace to west (rear) and north (side) elevation and install rooflights to east (front) elevation.

LOCATION: The Lilies, La Garenne Road, Vale.

APPLICANT: Mr & Mrs Skillet

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: 15/09/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/05/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners - AA62-10544-S1-05, 10A, 12C, 18B, 20B, 30C, 31B & 32A.

Application Ref: FULL/2022/0802

Property Ref: C017200000

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, no use of the terrace shall begin until privacy screens are attached to the timber perimeter of the terrace to a height of 1.8m, and they shall be obscure glazed to a minimum of Level 3 on the Pilkington Scale (or equivalent), and shall wrap around all sides of the terrace and external stair rail. The privacy screens shall be retained thereafter in perpetuity unless otherwise agreed in writing by the Authority.

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 14/09/2025 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/2022/0802
Property Ref: C017200000
Valid date: 13/05/2022
Location: The Lilies La Garenne Road Vale Guernsey GY3 5SQ
Proposal: Demolish extension and outbuilding, extend at ground and first floor including 1st floor terrace to west (rear) and north (side) elevation and install rooflights to east (front) elevation.
Applicant: Mr & Mrs Skillet

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.

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(or equivalent), and shall wrap around all sides of the terrace and external stair rail. The privacy screens shall be retained thereafter in perpetuity unless otherwise agreed in writing by the Authority.

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

OFFICER'S REPORT

Brief Description of the site:

The property known as 'The Lilies' is a pre-1900 one and a half storey cottage with large outbuilding to the rear. The property is located behind the ribbon development along La Garenne Road, to the east and there is a large detached property to the west. The property has very little external curtilage, with the drive in the northeast corner of the site. The property is located Outside of the Centres and is within a Conservation Area as defined in the Island Development Plan.

Relevant History:

FULL/2019/0992 – Install rooflights to rear roof slope – Approved June 2019.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation

☒

accords with policy

☒

within curtilage

☒

design acceptable

☒

visual amenity acceptable

☒

no material neighbour impact

☒

traffic not affected

☒

Policies considered most relevant:

GP4: Conservation Areas

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

This application is to demolish the rear lean-to single storey extension and the large outbuilding. Extend at ground floor to the rear and northside of the existing cottage and extend at first floor including a first floor terrace to the rear.

The ground floor extension will extend to the boundary walls, with the northern part being dedicated to an integrated garage/workshop. The remaining ground floor will add a new lounge/dining room, bathroom and utility. The first floor will add a bedroom, a bathroom and a study with bifold doors out to the first floor terrace.

Initially there were large single pane windows at first floor looking to the north and south and the 5.5m x 4.5m terrace had views in every direction, all of which contributed to an excessive amount of overlooking. Especially as the neighbours' rear gardens to the south all have very low boundaries.

The application was deferred and the agent was requested to remove the large north and south first floor windows and to omit the terrace. However, although the windows were omitted the applicants requested the terrace to remain. To do this a 1.8m privacy screen has been added around the whole of the terrace.

The Conservation Area Policy GP4 and GP8 require a higher standard of design in order to ensure the special interest of the Conservation Area and character of the area is not unduly harmed. The effect of the development on the Conservation Area should also be offset against personal choice (GP13) and the actual impacts of the proposed development on that particular character and appearance of the Conservation Area.

In this case, the existing building and the proposed extensions are located behind the ribbon development along La Garenne Road and cannot be seen from Vale Church graveyard or many other public vantage points and, despite some reservations regarding the 'boxy' design of the two-storey flat roof extension, the development would not result in unacceptable harm the character and appearance of this Conservation Area in accordance with Policies GP4 and GP13 of the IDP.

The use of obscure glass around the terrace will help to screen out the majority of the overlooking, but there still will be overlooking from the window serving Bedroom 3, which is approx. 5.6 metres from the boundary. However, the open land to the west does not form principal private amenity space, associated with the adjoining dwelling as its principal external amenity space is situated to the south of this adjoining dwelling and includes a swimming pool. The potential for overlooking and loss of privacy from this window therefore remains within acceptable limits.

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: 14/09/2022