

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 west (side) elevation and alteration to fenestration to east elevation.

LOCATION: Les Bouleaux, Rohais De Bas, St. Andrew.

APPLICANT: Mr J Guilbert

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: 21/10/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/07/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 5966/B/1a

Application Ref: FULL/2022/1414

Property Ref: K00012A000

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 1.8m obscure glass balustrade to the west side of the balcony hereby approved, shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent) and shall be installed prior to the balcony being brought into use. The balustrade shall thereafter be retained at all times.

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 20/10/2025 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/2022/1414
Property Ref: K00012A000
Valid date: 04/07/2022
Location: Les Bouleaux Rohais De Bas St. Andrew Guernsey GY6 8YZ
Proposal: Erect extension at first floor level to west (side) elevation and alteration to fenestration to east elevation.

Applicant: Mr J Guilbert

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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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equivalent) and shall be installed prior to the balcony being brought into use. The balustrade shall thereafter be retained at all times.

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 'Les Bouleaux' is a detached one and a half storey dwelling set back from and at a lower level than Rohais De Bas and with a substantial garden to the rear/northeast. The property faces southwest to the road, there are neighbouring properties to the southeast and northwest. The site is located Outside of the Centres as designated in the Island Development Plan.

Relevant History:

FULL/2021/2158 – Erect one and a half storey garage/games room with external stairs to east elevation to south boundary – Approved November 2021.

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:

GP8 – Design

GP9 – Sustainable Development

GP13 – Householder Development

Conclusion/Brief comment:

This application is to erect a first floor extension above the northwest single storey element of the dwelling and to erect a ground floor extension to the side (east elevation) to extend a bedroom and the kitchen, with alterations to the fenestration.

The east elevation extension and alterations are considered acceptable and would not impact on the character of the area, or on neighbour amenity due to the ground floor nature of the proposal.

The west elevation first floor extension will have two windows looking over the front car parking area, which is acceptable as there will be no overlooking into the neighbours property.

Initially the rear dormer had a small balcony from double doors which would allow overlooking into the northwest neighbour's garden, the application was deferred to request the overlooking was mitigated. A new 1.8m high privacy screen has been added to the west side of the proposed balcony, which has limited the amount of overlooking to an acceptable level.

The proposals now achieve a good standard of design, using materials which complement the existing materials. The extensions will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation.

The scale and massing of the new first floor 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 neighbours.

Policy GP9, Sustainable Development, seeks to ensure all new development takes into account the use of energy and resources and any adverse impacts on the environment. There has been sufficient information provided with the application to comply with the requirements of this policy.

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: 19/10/2022

