

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 roof ridge height to create first floor accommodation, erect single storey extension to west (rear) elevation. Infill garage door and install external insulating render system to south extension and alter balustrade and fenestration.

LOCATION: Clos Du Chasseur, Rue De Rougeval, Torteval.

APPLICANT: Mr & Mrs D Holt

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: 13/10/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/09/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design: 20-1180-P4 PD/01 & PD/02

Application Ref: FULL/2022/1687

Property Ref: G003770000

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 master bedroom window in the west elevation shall be glazed with obscure glass to a minimum of Pilkington Level 3, or equivalent, and be fixed shut and shall thereafter 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 12/10/2025 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/2022/1687
Property Ref: G003770000
Valid date: 13/09/2022
Location: Clos Du Chasseur Rue De Rougeval Torteval Guernsey GY8 OPE
Proposal: Raise roof ridge height to create first floor accommodation, erect single storey extension to west (rear) elevation. Infill garage door and install external insulating render system to south extension and alter balustrade and fenestration.
Applicant: Mr & Mrs D Holt

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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4. The master bedroom window in the west elevation shall be glazed with obscure glass to a minimum of Pilkington Level 3, or equivalent, and be fixed shut and shall thereafter be retained in perpetuity.

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

OFFICER'S REPORT

Site Description:

Clos du Chasseur is a detached dwelling located in an elevated position above Rocquaine. The narrow site slopes steeply downward toward the north and accommodation within the dwelling steps down with the gradient. Vehicular access is from the south via a long drive.

There is an adjoining dwelling to the west with open land containing trees sloping away to the north and east.

The site is located Outside of the Centres and is the subject of no other designation under the Island Development Plan.

Relevant History:

FULL/2020/2316 – Extend and alter dwelling to south (front) elevation, install roof lantern, alterations to chimneys and fenestration and extend and alter raised terrace to north (rear) elevation - granted

FULL/2017/1980 - Demolish existing garage and glasshouse, raise ridge height and erect first floor extension, erect two storey extension including first and second floor balconies on north-west elevation and erect porch on south east elevation – granted

FULL/2014/0531 - Raise ridge height and erect first floor extension, demolish existing garage and glasshouse and erect two storey extension including first and second floor balconies on north west elevation - granted

Existing Use(s):

01 dwellinghouse

Brief Description of Development:

Planning permission is sought to remove the existing roof of Clos du Chasseur and erect a first-floor extension under a pitched and hipped roof. The existing garage is to have an external insulating render system applied and the existing garage door (south elevation) is to be infilled and alterations proposed to the east and west elevation fenestration to enable the space to be used as additional habitable accommodation (utility/store and pantry/kitchen store). A new gateway is proposed in the south wall of the courtyard for access and an existing door and windows are to be replaced with sliding doors to the north elevation of the existing dwelling. The existing balustrade to the terrace north of the dwelling is also shown to be replaced. A timber clad refuse store is shown to be provided adjacent to the southeast of the dwelling.

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

Island Development Plan policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Representations:

One letter of representation has been submitted raising concerns regarding the height of the development and the potential for overlooking and loss of privacy.

Consultations:

None.

Summary of Issues:

The key issues in this case relate to the design and appearance of the proposed extensions and alterations and their impact on the character and appearance of the locality along with the effect of the proposals on residential amenity with regard to overshadowing and loss of privacy.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Planning permission was granted in 2017 for the erection of a first floor extension to Clos Du Chasseur, an application also assessed against policies in the Island Development Plan. This permission has now expired but established the principle of erecting a first floor extension to the property. The current scheme would see a reduction in the extent of the first floor extension adjacent to the west site boundary and changes from the previously approved fenestration.

The property currently has a hipped roof and the application would see this removed in order to construct a first floor extension with render exterior under a slate hipped roof. The design and appearance of the proposed extension, alterations to existing fenestration, replacement raised terrace material, replacement balustrade and insulating render system all represent a good standard of design that respects the local built environment.

The neighbouring property to the west is set away from the common boundary with Clos du Chasseur and the subservient, hipped roof extension proposed adjacent to the common boundary will not result in unacceptable overshadowing or loss of light to the occupiers of this adjoining dwelling. There are no other immediate neighbours that would be impacted by the development.

A single first floor secondary window is proposed serving the master bedroom and facing west towards the adjoining property. In order to manage the potential for overlooking a planning condition can be imposed requiring this window to be obscure glazed and fixed shut. The potential for overlooking and loss of privacy from windows proposed in the north and south elevations would be limited given other existing fenestration in these elevations and relationship between Clos du Chasseur and its neighbour to the west. Furthermore, the level of glazing proposed to the north elevation has reduced from the scheme approved in 2017 which was assessed against the same planning policies and concluded to be acceptable.

The extensions and alterations proposed ensure that occupiers benefit from adequate daylight and sunlight. Furthermore, the scheme offers more flexible and adaptable accommodation that can respond to the needs of occupiers over time. Although the first-floor accommodation would be served by a staircase there remains two bedrooms and two bathrooms on the ground floor which offers accessible accommodation. The first-floor accommodation would remain accessible by ambulant disabled.

The proposed refuse store represents a good standard of design that will not have an adverse impact on the locality or on residential amenity.

Information has been submitted which demonstrates that sustainable development principles have been considered in developing this scheme, in accordance with the requirements of Policy GP9.

In view of the above it is recommended planning permission is granted for the proposed development.

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 12 October 2022

