

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: Variations to previously approved plans to erect single storey extension to west (rear) and north (side) elevations, raise existing roof height to north and erect first floor extension to east elevation - omit demolition of conservatory and 1st floor extension to rear, alter floor area and roof form to side and rear extension.

LOCATION: Brooklyn Way, Rue Cohu, Castel.

APPLICANT: Mr D Sauvarin & Miss A Trump

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: 29/11/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 28/09/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A drawing no's: 7430-02 B1, B2, B3 & B4

Application Ref: FULL/2022/1926

Property Ref: D01643A000

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 on or before 06/07/2024.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2021/1052.

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 permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 07/07/2021, issued under planning application reference FULL/2021/1052, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

Expiry Date: This permission will cease to have effect on 06/07/2024 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/2022/1926
Property Ref: D01643A000
Valid date: 28/09/2022
Location: Brooklyn Way Rue Cohu Castel Guernsey GY5 7TJ
Proposal: Variations to previously approved plans to erect single storey extension to west (rear) and north (side) elevations, raise existing roof height to north and erect first floor extension to east elevation - omit demolition of conservatory and 1st floor extension to rear, alter floor area and roof form to side and rear extension.

Applicant: Mr D Sauvarin & Miss A Trump

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 on or before 06/07/2024.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2021/1052.

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 permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 07/07/2021, issued under planning application reference FULL/2021/1052, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Brooklyn Way' is a detached late 19th century two storey pitched roof granite dwelling with a single storey lean-to to the east elevation and a single storey open carport/workshop on the north elevation. The property is located behind the roadside ribbon development on the north side of Rue Cohu, to the south of the property is a narrow single track driveway which leads to the road between the roadside dwellings. The property lies in the southwest part of the large plot with open fields/woodland to the west, north and east beyond. To the south are the rear gardens of the residential roadside properties. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2021/2235 - Change of use of agricultural land to domestic garden (6,875sq.m.) and clad glasshouse (retrospective) and create basketball court – Approved June 2022.

FULL/2021/1052 - Erect single storey extension to west (rear) and north (side) elevations, raise existing roof height to north and erect first floor extension to east elevation – Approved July 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 a variation to a previously approved application FULL/2021/1052, the variation is to omit demolishing the conservatory and first floor extension to the rear, alter floor area and roof form to side and rear extension.

Essentially the proposals have been reduced from the earlier scheme, leaving the car port as is and the conservatory and reducing the footprint of the new kitchen/dinning/lounge area, and one of the proposed first floor bedrooms will have a reduced head height and dormer which helps to balance the design.

The changes do not affect the eastern or southern elevations, so the previous reports assessment is still applicable;

'The property cannot be easily seen from the road to the south. The new first floor windows look eastward toward a mature boundary with the neighbouring rear car parking areas beyond and the additional first floor window looking south has the very tall Leylandii boundary hedge and boundary granite wall which serve to minimise any harmful overlooking of the rear garden of the neighbouring apartment block beyond. Therefore, the proposals are not considered to impact on any of the neighbours' amenity space nor will they have any detrimental effects on the character of the area.'

The revised scheme 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.

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: 29/11/2022

X
