

**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, extend at ground and 1st floor level to south (rear) elevation and erect single storey extension to south elevation of outbuilding.

**LOCATION:** Oak Lodge, La Route Des Farras, Forest.

**APPLICANT:** Mr & Mrs L Mooney

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:** 02/12/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/10/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Create Ltd - 963-3-005, 006, 007, 008, 009 & 010.

**Application Ref:** FULL/2022/2006

**Property Ref:** H001450000

**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.

**Expiry Date: This permission will cease to have effect on 01/12/2025 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](http://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](mailto: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/2022/2006  
**Property Ref:** H001450000  
**Valid date:** 11/10/2022  
**Location:** Oak Lodge La Route Des Farras Forest Guernsey GY8 0EA  
**Proposal:** Demolish extension, extend at ground and 1st floor level to south (rear) elevation and erect single storey extension to south elevation of outbuilding.  
  
**Applicant:** Mr & Mrs L Mooney

**RECOMMENDATION - Grant: Planning Permission with Conditions:**

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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.

## **OFFICER'S REPORT**

### **Site Description:**

The property known as 'Oak Lodge' is a two and a half storey early 20<sup>th</sup> century detached dwelling, which is set far back from and faces north onto La Route de Farras. There are neighbouring detached properties to the east, west and across the road to the north and one pair of semi-detached properties to the south. The property is located Outside of the Centres as defined in the Island Development Plan.

### **Relevant History:**

FULL/2022/1405 - Alterations to an existing access and works to create a new access to north boundary, erect gates to east boundary and erect fencing to east and south boundaries (part retrospective) – Approved September 2022.

### **Existing Use(s):**

Residential use class 1: dwelling house.

### **Brief Description of Development:**

This application is to demolish the existing rear extension and replace with a slightly larger two storey extension to the south elevation and a single storey rear extension to the south rear elevation of the existing garage.

The installation of a swim spa as proposed would comprise exempt development.

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

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

### **Representations:**

There has been one letter of representation and the issues are;

*'Having viewed the plans for the proposed extension with the above reference, I would like to comment that the extension extends much further to the south compared to the existing building and given that it also includes a balcony will oversee the neighbouring properties and so the plans should be reconsidered.'*

### **Consultations:**

None

### **Summary of Issues:**

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

### **Assessment against:**

#### **1 - Purposes of the law.**

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

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

The pitched roof extension to the rear of the property achieves a good standard of design, which suits the style of the main dwelling, and uses 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. The scale and massing of the new extension is not considered to have a detrimental effect on the character and amenity of the surrounding area.

The letter of representation highlights the fact that the new extension reaches further southward than the existing, it will be 7m from the boundary with the nearest neighbour. The boundary consists of a high hedge of Leylandi, and the neighbour has recently had a rear flat roof extension added to the main dwelling. Whilst in close proximity and facing the boundary, views from the first floor balcony will be restricted by the position within the envelope of the new roof, the presence and location of the extension on the neighbouring property and the height of the intervening boundary. On balance the proposals are not considered to have such an impact on neighbour amenity that would warrant refusal of the application.

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.

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

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. Where relevant the issues are considered in section 2 above.

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

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

**Date:** 01/12/2022