

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: Variation to previously approved plans to erect 1.5 storey extension and rooflights to south (rear) elevation, erect single storey extension to west (side) elevation, install dormer windows and rooflight to north (front) elevation, external insulation render system and alterations to fenestration - Omit first floor level and alter to single storey flat roof extension and catslide dormer to rear.

LOCATION: Treloarwarren, Pine Trees, La Route De L'Islet, St. Sampson.

APPLICANT: Mr J Clark & Ms K Bailey

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: 10/01/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 17/10/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Paul Vaudin & Associates Ltd: 21-039-08 & 09

Application Ref: FULL/2022/2055

Property Ref: B017140000

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 11/08/2025.

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 12/08/2022, issued under planning application reference FULL/2022/0708, and subject to the terms and conditions thereof.

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

Expiry Date: This permission will cease to have effect on 11/08/2025 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/2022/2055
Property Ref: B017140000
Valid date: 17/10/2022
Location: Treloarwarren Pine Trees La Route De L'Islet St. Sampson
Guernsey GY2 4EQ
Proposal: Variation to previously approved plans to erect 1.5 storey extension and rooflights to south (rear) elevation, erect single storey extension to west (side) elevation, install dormer windows and rooflight to north (front) elevation, external insulation render system and alterations to fenestration - Omit first floor level and alter to single storey flat roof extension and catslide dormer to rear.
Applicant: Mr J Clark & Ms K Bailey

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 11/08/2025.

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 12/08/2022, issued under planning application reference FULL/2022/0708, and subject to the terms and conditions thereof.

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

OFFICER'S REPORT

Brief Description of the site:

The application site is located to the south of La Route de L'Islet. The property comprises a detached bungalow which is accessed off a private road (known as 'Pine Trees') which serves multiple houses. The property features a detached garage to the rear. The site is heavily landscaped to the east and south boundaries and is highly visible in vantage points to the north and west of the application site.

The site is located Outside of the Centres as designated in the Island Development Plan Proposals Map.

Planning permission was granted to demolish an extension and chimneys, erect 1.5 storey extension and rooflights to the south (rear) elevation, and erect single storey extension to west (side) elevation. Permission was also granted to install dormer windows and a rooflight to the north (front) elevation, an external insulation render system and to make alterations to the fenestration.

Planning permission is now sought to omit the rear 1.5 storey pitched roof extension to the rear of the property and replace it with a single storey flat roof extension and to incorporate a catslide dormer window to the rear elevation. The catslide dormer will serve the staircase and a study and the ground floor will serve as a kitchen, hall and utility.

Relevant History:

FULL/2022/0708	Demolish extension and chimneys, erect 1.5 storey extension and rooflights to south (rear) elevation, erect single storey extension to west (side) elevation, install dormer windows and rooflight to north (front) elevation, external insulation render system and alterations to fenestration.	Granted
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Existing Use(s):

Residential

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:

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.

The variation proposed incorporates a catslide dormer window to the rear elevation and the proposal is not considered to result in unacceptable harm to the amenities of neighbouring residents. This assessment has been reached when taking into account the distance between the windows and the south boundary, together with the relationship to the neighbouring property beyond. The south boundary is also lined with mature landscaping which would also help to reduce the extent of overlooking effect.

The dormer and inclusion of a single storey flat roof extension to the rear of the property would achieve a good standard of design by virtue of their scale, form, massing, siting and materials for the purpose of Policy GP8.

Overall, the changes proposed to the approved scheme would have a less impactful effect on the character of the area and visual amenity.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 09/01/23

