

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, erect single storey extension and install window at first floor level to west (rear) elevation and demolish section of roadside wall to widen vehicle access. Installation of solar PV panels to the southern roof slope.

LOCATION: Rugglestone, Calais Road, St. Martin.

APPLICANT: Mr & Mrs Warren

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: 10/02/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/01/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Soup Architects: 442.001, 100, 110, 120, 200, 300, 310

Application Ref: FULL/2022/2388

Property Ref: J017170000

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.Within four weeks of the new access being brought into use, the ends of the new opening shall be finished off using materials and a method of construction which match the remainder of the front roadside boundary wall.

Reason - To secure the satisfactory appearance of the completed development.

5.Notwithstanding the details on the approved plans, the proposed PV panels to be installed on the southern roof slope shall project no more than 30cm from the plane of the roof slope.

Reason: This is considered to secure a satisfactory appearance of the completed development.

Expiry Date: This permission will cease to have effect on 09/02/2026 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/2022/2388
Property Ref: J017170000
Valid date: 06/01/2023
Location: Rugglestone Calais Road St. Martin Guernsey GY4 6AP
Proposal: Demolish extension, erect single storey extension and install window at first floor level to west (rear) elevation and demolish section of roadside wall to widen vehicle access. Installation of solar PV panels to the southern roof slope.

Applicant: Mr & Mrs Warren

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.

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. Within four weeks of the new access being brought into use, the ends of the new opening shall be finished off using materials and a method of construction which match the remainder of the front roadside boundary wall.

Reason - To secure the satisfactory appearance of the completed development.

5. Notwithstanding the details on the approved plans, the proposed PV panels to be installed on the southern roof slope shall project no more than 30cm from the plane of the roof slope.

Reason: This is considered to secure a satisfactory appearance of the completed development.

OFFICER'S REPORT

Brief Description of the site:

The site consists of a detached two-storey dwelling with single storey extensions to the rear and side elevations. The site forms a corner plot to the south-west of the junction between Calais Road and a residential cros and the site is located Outside the Centre as designated in the Island Development Plan (IDP).

Relevant History:

FULL/2015/1550 – Demolish existing and erect new extension on south and north elevations, and alterations to front elevation of existing dwelling.

FULL/2021/1948 – Change of use of agricultural land to domestic garden (1146sqm)

Existing Use(s):

01 – Residential dwelling

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

GP8- Design

GP13- Householder development

GP9- Sustainable development

Conclusion/Brief comment:

The proposal involves the demolition of the existing rear extensions and replacement with a larger, single storey flat roof extension which spans across almost the entire width of the rear elevation.

Dwellings along Calais Road are of a mixed style and design, with some very substantial dwellings in close proximity. Whilst the proposed extensions would increase the scale and bulk of the dwelling, the extensions would be subservient to the original dwelling and located to the rear and so the proposal would not have any significant adverse effects on the character and amenity of the area.

The increase in the scale of the dwelling would not impact unduly on neighbouring amenity as the flat roof design ensures there is no harm as a result of overshadowing or loss of light.

The proposal also includes the introduction of a new rear window at first floor level, positioned centrally within the rear elevation and serving the master bedroom. There are existing rear windows at first floor level and so the additional window is not considered to significantly change the existing relationship with neighbouring dwellings. In any case, no harm to privacy or amenity is anticipated as the additional window would only allow oblique views, mainly of the rear-most section of the neighbours garden. Overall, the design of the proposal achieves a good standard of design for the purposes of Policy GP8.

The alterations to the existing access involving the removal of a section of the existing boundary wall in order to allow for the provision of additional parking within the front garden is considered acceptable. The access is to be widened by approx. 1.2m resulting in a 5m opening, and the remainder of the wall is to be retained. The proposal involves only a small loss of boundary wall and creation of a parking area which is acceptable when considering the reasonable aspirations of the property owner to create more practical access and parking arrangements. The proposal therefore complies with relevant policies GP13 and GP8.

The solar PV panels shown on the proposed plans are likely to be exempt from requiring planning permission. Should the proposed PV panels project more than 30cm from the plane of the slope then a planning application should be submitted providing the specifications and details for separate consideration as a projection of more than 30cm may have a more significant visual impact.

A suitable sustainable statement has been submitted with the proposal, which fulfils the specific requirements of policy GP9.

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: 08/02/2023