

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 and alter roof form and extend and alter at ground and 1st floor level (revised scheme).

LOCATION: Vue De Lion, La Giffardiere, Albecq, Castel.

APPLICANT: Mr & Mrs J Rouget

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: 06/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 21/12/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design Ltd - 21-1367 PD-03 & PD-04.

Application Ref: FULL/2023/0047

Property Ref: D01205A000

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.No materials to be used on the exterior of the buildings shall be placed on the site until such time as samples of those materials have been submitted to the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the development.

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

5.The 1.8m obscure glass balustrade to the east side of the terrace hereby approved, which shall extend the full depth of the terrace, shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent) and shall be installed prior to the terrace being brought into use. The balustrade shall thereafter be retained at all times.

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

6.The extended dwellinghouse hereby permitted shall not be occupied until the vehicle charge points and solar panels shown on the submitted plans have been installed and made operational.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9.

Expiry Date: This permission will cease to have effect on 05/03/2026 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/2023/0047
Property Ref: D01205A000
Valid date: 21/12/2022
Location: Vue De Lion La Giffardiere Albecq Albecq Castel Guernsey GY5 7HN
Proposal: Raise and alter roof form and extend and alter at ground and 1st floor level (revised scheme).
Applicant: Mr & Mrs J Rouget

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).

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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.

4. No materials to be used on the exterior of the buildings shall be placed on the site until such time as samples of those materials have been submitted to the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the development.

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

5. The 1.8m obscure glass balustrade to the east side of the terrace hereby approved, which shall extend the full depth of the terrace, shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent) and shall be installed prior to the terrace being brought into use. The balustrade shall thereafter be retained at all times.

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

6. The extended dwellinghouse hereby permitted shall not be occupied until the vehicle charge points and solar panels shown on the submitted plans have been installed and made operational.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9.

OFFICER'S REPORT

Site Description:

The property known as 'Vue de Lion' is a 1970's one and a half storey dwelling, which is set back from and faces south onto La Giffarderie. The detached neighbouring properties are very close to the east, a pre-1900's dwelling, and the west, an early 20th century dwelling which was extended in the early 21st century. To the north is open land which falls away to the coast road (there are good views of this row of housing from the coast road). The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2022/1365 - Erect first floor extension to create additional storey, alter balustrade to existing terrace to north (rear), re-clad existing property – Refused November 2022.

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

This is a revised scheme to raise & alter the roof form, and extend & alter at ground and first floor levels.

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:

- The current proposals appear totally foreign to the existing environment, which includes traditional cottages, houses and farmhouses forming a corridor from Castel School down to the coast.
- The current proposal is unsympathetic to the very traditional Guernsey cottage next door and would be degrading to the visual appearance of the locality.
- The development appears overpowering and may detract from enjoyment of neighbouring properties
- A designers submission that properties of similar construction/appearance are in the locality, being reason for this application to succeed, is irrelevant – two wrongs don't make a right – and such acceptance will create further architectural degradation of this rather traditional part of the Castel parish.

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 traditional pre-1900's dwelling to the east initially owned Vue de Lion's site as part of the garden, it was sold off and the property in question built sometime in the 1970's. The footprint of the house is quite large in comparison to the whole site area and covers approximately half of the site.

The photographs of the site show a row of detached houses, some one, some one and a half storey. The earliest houses are two traditional C19 cottages (one next door to the east) with stone facades, slate roofs; both are small in their proportions with low roofs. The pre 1938 house to the west has an orange plain tile hipped roof which has been extended to the north but its overriding characteristic is being low and unobtrusive in the landscape, the same is true of the other dwelling at the end of the row to the east which was built before 1963, in that it is a low hipped roof bungalow.

Vue de Lion reflects the characteristic nature of the row of housing (albeit the house two doors to the east was rebuilt in the 2010's under a previous Development Plan), the front façade is clean, with no dormers or rooflights and the building is considered to fit in well with its surroundings and is unobtrusive. The rear of the building is less restrained and is a mixture of large flat roofs which generally detract from the character of the building.

Importantly all of these houses are on the crest of a hill and make up the horizon as viewed from the coast. Therefore their impact on the area is higher than it would usually be because they are so conspicuous. Any new proposed scheme should take into account the surrounding built environment, and the fact the houses are viewed from the lower coast road to the north.

The Island Development Plan acknowledges that it is a reasonable aspiration of householders to improve their homes such as to provide additional accommodation, enhance the standard of living and the functionality of a building. Furthermore, outside designated areas the Plan seeks to offer property owners flexibility and personal choice in design matters with greater freedom of choice with regard to private property development and use. Notwithstanding the above however, a development must represent a good standard of design that respects the local built environment and open landscape concerned.

The proposed revised scheme has also been designed to maximise the first floor accommodation. However, the previous issues of bulk and respecting the surrounding environment have been taken into consideration and the result is a more complete and coherent design. The new proposed form of the roof has a lesser impact on the skyline, with the highest point of the new roof being only 395mm higher than the existing ridge height, and the majority of the new roof being lower than the existing ridgeline. This helps the new design assimilate into the low characteristic of the row of residential properties on this side of the road, respecting the surrounding built environment.

The changes in the first floor fenestration are not considered to have any further impact on the neighbouring properties than already exists. There will be a west facing first floor kitchen window, but as it is at the front of the house it will only overlook the neighbours front driveway, which is not considered private amenity space, therefore there are no overlooking concerns. The existing first floor terrace will remain, but will be cosmetically upgraded and enhanced to respect the neighbour's private amenity spaces.

The revised proposals are considered to achieve a good standard of design, using materials which complement the existing materials. The alterations 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, nor will it have any impact on either of the immediate neighbours.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations, and proposes installation of solar panels and the provision of an electric vehicle charge point, 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: 28/02/2023

