

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: Erect single storey extension to north (rear) elevation, erect single storey detached outbuilding to west of property and to east boundary and alter vehicle access and erect gate.

LOCATION: Autumn Breeze, Rue Des Grons, St. Martin.

APPLICANT: Mr A Pimanis

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: 21/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/12/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DLM Architects drawing no's: 1216_7, 8, 9, 10, 11, 12, 13, 14, 15 & 17

Application Ref: FULL/2023/0059

Property Ref: J01036F0000

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 revised access being brought into use, the new wall hereby approved to the southern (front) boundary shall be constructed in accordance with the approved plans, with the end of the opening finished off using materials and a method of construction which match the remainder of the wall.

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

5.The existing front (south) boundary hedge shall be planted to continue along the length of the new wall hereby approved. This shall be undertaken in the first planting season following the commencement of the new wall and using the same species of plant as the existing hedge or another suitable native species. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

Expiry Date: This permission will cease to have effect on 20/03/2026 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/2023/0059
Property Ref: J01036F0000
Valid date: 23/12/2022
Location: Autumn Breeze Rue Des Grons St. Martin Guernsey GY4 6JP
Proposal: Erect single storey extension to north (rear) elevation, erect single storey detached outbuilding to west of property and to east boundary and alter vehicle access and erect gate.

Applicant: Mr A Pimanis

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 revised access being brought into use, the new wall

hereby approved to the southern (front) boundary shall be constructed in accordance with the approved plans, with the end of the opening finished off using materials and a method of construction which match the remainder of the wall.

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

5. The existing front (south) boundary hedge shall be planted to continue along the length of the new wall hereby approved. This shall be undertaken in the first planting season following the commencement of the new wall and using the same species of plant as the existing hedge or another suitable native species. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

OFFICER'S REPORT

Site Description:

The application site comprises a detached 1 ½ storey dwelling situated to the north of Rue Des Grons. Surrounding the site the area comprises residential dwellings to the south, east and west of mixed building types and design.

The site is situated Outside of the Centres as designated in the Island Development Plan.

Relevant History:

FULL/2018/1656 Raise ridge height, alterations to fenestration, apply external insulation and erect detached garage.

FULL/2018/1616 Remove section of roadside wall to widen vehicular access

Existing Use(s):

01 Residential dwellinghouse

Brief Description of Development:

Permission is sought to erect a single storey rear extension, erect a detached single storey double garage to the west (side) of the dwelling and a detached flat roof outbuilding to the eastern boundary in the rear garden.

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

GP9 – Sustainable development

GP8 – Design

GP13 – Householder Development

Representations:

One neighbour letter has been received- this made the following points:

- No objection to the proposed extension, garage and alterations to the access.
- Concern regarding the proximity of the outbuilding in relation to neighbouring dwelling and the impact on character and amenity of the area and impact upon reasonable enjoyment of neighbours garden.
- Land was previously farmland.

Consultations:

Traffic and Highway Services were consulted on the application and made the following observations:

I advise that an access should: -

- a) Enable a driver 2.0m from the edge of the carriageway to see a minimum of 20m in the direction of oncoming traffic;*
- b) Not have any obstructions or planting greater than 900mm high above the road surface within the visibility splays;*
- c) Have sufficient width to enable cars and light vehicles to exit and enter the drive without crossing into the path of vehicles on the opposite side of the carriageway;*
- d) Be square to the carriageway;*
- e) Be sited at a distance not less than 20m from a junction.*

Whilst the sightline in the direction of oncoming traffic and to the east are sub-standard (6m & 12m respectively), the proposals would not be expected to lead to intensification of use of the access or impact on manoeuvring space within the driveway.

THS has noted that the new walls to form the bell mouth of the access would have no impact on the sightline observed to the east and a minimal negative impact on the sightline in the direction of oncoming traffic. The access width would still exceed the recommended minimum 4.7m standard for 2-way flow of cars and light vans.

The traffic flows along Rue des Grons are light and therefore the provision of the cantilever gate would not be expected to cause any significant traffic management issues if a driver is waiting in the road for the gate to open.

In light of all of the above, whilst THS is disappointed that the proposals do not suggest any steps to improve the substandard sightlines, there are no significant road safety or traffic management grounds to oppose the application.

Summary of Issues:

- Impact on character of area
- Impact on neighbouring amenity
- Impact on highways

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

Policy GP13 of the Island Development Plan is generally supportive of proposals for domestic extensions, alterations and other such householder development where: there are no significant adverse effects on the amenities of neighbouring properties; the design, scale, mass and form would not detract from the open character of open locations; and, they do not adversely affect the special interest of a Conservation Area or Area of Biodiversity Importance or protected building or protected monument.

The proposed garage is of an appropriate scale, mass and form so as not to appear overbearing or incongruous in the surrounding residential area and the materials to be used in their construction will match the existing dwelling which is appropriate and allows the garage to blend into the streetscene. The single storey garage situated to the side of the dwelling has a ridge height of 4m and eaves height of 2.6m and therefore appears subservient to the main dwelling. The design, ridge height and orientation of the garage (to the east of the neighbour) means that it will not have a significant impact on the amenities enjoyed by the occupiers of the properties to the west with regard to sunlight or daylight.

The extension is located to the rear of the dwelling and so is not prominent in the streetscene. The flat roof design and orientation to the west of the neighbour means it is unlikely to have a significant or harmful impact on the neighbours with regard to visual or physical impact, loss of sunlight/daylight or overlooking.

Concern has been raised by neighbours regarding the location of the garden room and its relationship to the neighbours. The garden room is proposed along the sites eastern boundary, within the extended curtilage which wraps around the rear of the neighbours garden. The proposal is for a 2.9m high 4.5m deep and 12.7m wide garden room, the southern side of this is approx. 6.5m from the rear of the neighbour. The relatively modest height, flat roof design, separation distance and orientation to the north of the neighbours mean that there is no significant impact anticipated in terms of visual impact or loss of daylight/sunlight.

The erection of the outbuilding in this location is unlikely to have a greater impact on the neighbours in terms of noise or disturbance than could already be generated by the existing domestic use of this area of garden by a family.

The proposed alterations to the access include the extension of the existing boundary wall on each side of the access in order to reduce the opening from 7m to 4.7m. A new, solid timber gate is proposed to the entrance, which is 1.8m in height. The solid design and height of the gate in combination, has a more enclosed effect than is generally found in the vicinity of the site. The existing boundary wall is

relatively low, but with a hedge above to a combined height of approx. 1.5m enclosing the site. The granite walls opposite the site are also approx. 1.5m high in parts.

The Agent was requested to amend the design and height of the gate proposed and declined. The application is therefore considered on the original submission. Within the vicinity there are examples of 1.5m high walls and the gate will be only 0.3m higher than the existing enclosures. In addition, the narrowing of the access is an improvement and considered alongside the reasonable aspiration of the property owner to create a secure amenity area for use by their children and pets, on balance, the level of visual harm and harm to the character of the area is not considered sufficient to refuse the application on this basis. Planting to ensure the continuation of the hedge up to the gate is considered reasonable and necessary to assist in softening the appearance of the gates, and ensuring that the visual impact of the proposal is acceptable and will be secured by condition.

Traffic and Highway Services also raised no objection to the proposed gate and revised access in terms of highway safety or traffic management.

For the above reasons and subject to conditions, it is considered that the proposal accords with Policies GP8 and GP13 of the Island Development Plan.

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 considered in the assessment of this application. The application does not impact upon any protected trees, monuments, buildings or SSS's.

Date: 07/03/2023

