

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: Variations to previously approved plans to erect single storey flat roof extension to south (rear) elevation - Create balcony at 1st floor level, alterations to fenestration to rear and erect porch to north (front) elevation.

LOCATION: Richmond Farm, The Dunes, Vazon, Castel.

APPLICANT: Mr & Mrs D Higgs

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: 14/04/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/01/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services - 6149/B/4a

Application Ref: FULL/2023/0116

Property Ref: D00591A000

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 31/03/2025.

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 01/04/2022, issued under planning application reference FULL/2021/2601, and subject to the terms and conditions thereof.

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

5.Notwithstanding the information submitted, on completion of, or prior to the first use (whichever is the sooner) of the roof terrace/balcony (however named) hereby approved a 1.8m high privacy screen glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) shall have been installed along the west elevation as shown on the approved drawing (ref 6149/B/4a). The privacy screen shall be retained as such in perpetuity.

Reason - To ensure that the privacy screen is appropriately installed in a timely manner to minimise the effect of the development on the privacy and amenities of nearby residents.

Expiry Date: This permission will cease to have effect on 31/03/2025 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/2023/0116
Property Ref: D00591A000
Valid date: 09/01/2023
Location: Richmond Farm The Dunes Vazon Castel Guernsey GY5 7LH
Proposal: Variations to previously approved plans to erect single storey flat roof extension to south (rear) elevation - Create balcony at 1st floor level, alterations to fenestration to rear and erect porch to north (front) elevation.

Applicant: Mr & Mrs D Higgs

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 31/03/2025.

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 01/04/2022, issued under planning application reference FULL/2021/2601, and subject to the terms and conditions thereof.

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

5. Notwithstanding the information submitted, on completion of, or prior to the first use (whichever is the sooner) of the roof terrace/balcony (however named) hereby approved a 1.8m high privacy screen glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) shall have been installed along the west elevation as shown on the approved drawing (ref 6149/B/4a). The privacy screen shall be retained as such in perpetuity.

Reason - To ensure that the privacy screen is appropriately installed in a timely manner to minimise the effect of the development on the privacy and amenities of nearby residents.

INFORMATIVES

OFFICER'S REPORT

Brief Description of the site:

The application site is situated behind the roadside properties which face towards Vazon Road. The site is situated Outside of the Centres as designated in the Island Development Plan.

The single storey flat extension to the rear of the dwelling, as approved under application ref: FULL/2021/2601, is under construction.

Planning permission is sought to vary the permission (FULL/2021/2601) by altering the fenestration at first floor level to form doors opening out onto a large balcony/ roof terrace. A 1.8m high obscure glazed screen is to be positioned towards the west of the balcony, in line with the west gable of the main house. The application also includes erecting a lean-to porch (7.7sqm) to the north (front) elevation of the dwelling.

Relevant History:

FULL/2023/0258	Change of use of agricultural land to domestic curtilage (1104 sq.m.).	Pending
FULL/2022/0135	Erect shed to north boundary.	Granted

FULL/2021/2601	Erect single storey flat roof extension to south (rear) elevation.	Granted
FULL/2021/1030	Variation to plans previously approved to demolish out-buildings and erect dwelling, erect earthbank and gate - omit Juliet balcony and alterations to fenestration.	Granted
FULL/2020/1785	Demolish out-buildings and erect dwelling, erect earthbank and gate (revised scheme).	Granted
FULL/2019/2591	Demolish out-buildings and erect dwelling and change of use of agricultural land to domestic garden.	Granted
FULL/2019/0801	Conversion of outbuilding to dwelling, erect flat roof extension to east elevation and creation of earthbank.	Granted

Existing Use(s):

Residential – dwelling-house

Agriculture – land to east of dwelling

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.

Despite the size of the balcony/roof terrace and its close proximity to the west boundary, the incorporation of a 1.8m high glazed screen will prevent any overlooking towards neighbouring properties in a westerly direction. Views across the agricultural land and towards neighbouring properties to the east of the application site are not so substantial to require the incorporation of a glazed privacy screen, or warrant refusal, when taking into account the distance and existing

boundary treatments. Consequently, the effect on neighbouring residents is not significant.

All other alterations will not cause harm to the character of the area or 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: 12/04/23

