

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 garage/outbuilding, erect single storey extension and install dormer windows and rooflights to south (rear) elevation, install dormer windows to north (front) elevation, install external insulating render system and alterations to fenestration.

LOCATION: Meadow View, Route De La Croix Au Bailiff, St. Andrew.

APPLICANT: Mr & Mrs J Lihou

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: 21/04/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/02/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Courtillet Design drawing no's: 22-757 03C & 04C

Application Ref: FULL/2023/0226

Property Ref: K00197A000

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.The glazed balustrade across the full length doors hereby approved to the rear (south) facing dormer shall be installed within 28 days of the installation of the doors and shall be retained in perpetuity.

Reason - There is no consent for use of the flat roof as a roof terrace and prevention of access to this roof is required in the interests of neighbour amenity.

Expiry Date: This permission will cease to have effect on 20/04/2026 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/2023/0226
Property Ref: K00197A000
Valid date: 06/02/2023
Location: Meadow View Route De La Croix Au Bailiff St. Andrew
Guernsey GY6 8RZ
Proposal: Demolish garage/outbuilding, erect single storey extension
and install dormer windows and rooflights to south (rear)
elevation, install dormer windows to north (front) elevation,
install external insulating render system and alterations to
fenestration.
Applicant: Mr & Mrs J Lihou

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. The glazed balustrade across the full length doors hereby approved to the rear (south) facing dormer shall be installed within 28 days of the installation of the doors and shall be retained in perpetuity.

Reason - There is no consent for use of the flat roof as a roof terrace and prevention of access to this roof is required in the interests of neighbour amenity.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a detached bungalow situated to the south of Route de la Croix au Bailiff. The property is in an elevated position when compared to the level of the road.

Surrounding the site the area comprises agricultural land to the east and south with residential properties of mixed building types and design to the north and west.

The property is situated Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan.

Relevant History:

FULL/2020/1045	Block up existing vehicular access and create new vehicular access to front of property.	Granted 02/10/2020
FULL/2016/2347	Demolish chimney.	Granted 17/11/2016

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:

Planning permission is sought to demolish an existing garage/outbuilding, to erect a single storey extension and install dormer windows and rooflights to the south (rear) elevation, and to install dormer windows to the north (front) elevation. The proposal also includes the installation of an external render system and alterations to the fenestration.

Since submission of the application the Land Planning and Development (Exemptions) Ordinance, 2023 has been enacted and planning permission is no longer required for the installation of external insulated render. This has therefore not formed part of the assessment of this application.

The garage/outbuilding proposed to be demolished as part of this application is not of any historic or architectural importance and demolition is therefore supported.

The surrounding area comprises residential properties to the north, west and further to the east of mixed building types and design. The proposed alterations have been designed appropriately to be in-keeping with the host dwelling and the character and appearance of the surrounding area.

The property borders open fields to the east and south, and to the west the boundary screening comprises a well established hedge which will prevent any harm being caused to the amenities of the neighbouring property in this direction with regard to the loss of sunlight, daylight or privacy. For the avoidance of doubt, this permission does not confer any consent for the use of the flat roof as a roof terrace.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

Although the proposal will result in the loss of a garage, sufficient parking exists at the site to accommodate this, and the alterations proposed. The proposal would not cause harm to highway safety.

For the above reasons it is considered that the proposal accords with the above mentioned Policies 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 taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 13/04/2023

