

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 extensions, extend at ground floor level and create 1st floor level to north-east (front) elevation, install external insulating render system and alterations to fenestration, erect raised terrace area to south-east (side) and south-west (rear) elevations.

LOCATION: 6 La Margion, La Rue Du Crocq, St. Saviour.

APPLICANT: Mr G Doering

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: 31/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 30/01/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design Ltd - 22-1448 PD-01 & PD-02A

Application Ref: FULL/2023/0232

Property Ref: E007040004

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.Notwithstanding the detail shown on the approved plans, prior to installation, further details of the proposed solar panels including the number of panels, location and cross section of the panels to show the angle of tilt, have been submitted to and agreed in writing by the Authority. The panels shall be installed in accordance with the approved details.

Reason- In the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 30/03/2026 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/2023/0232
Property Ref: E007040004
Valid date: 30/01/2023
Location: 6 La Margion La Rue Du Crocq St. Saviour Guernsey GY7 9XQ
Proposal: Demolish extensions, extend at ground floor level and create 1st floor level to north-east (front) elevation, install external insulating render system and alterations to fenestration, erect raised terrace area to south-east (side) and south-west (rear) elevations.

Applicant: Mr G Doering

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. Notwithstanding the detail shown on the approved plans, prior to installation, further details of the proposed solar panels including the number of panels, location and cross section of the panels to show the angle of tilt, have been submitted to and agreed in writing by the Authority. The panels shall be installed in accordance with the approved details.

Reason- In the interests of visual amenity.

OFFICER'S REPORT

Brief Description of the site:

The application site, No. 6 La Margion, is located Outside of the Centres as defined in the Island Development Plan.

Planning permission is sought to demolish existing extensions, extend at ground floor level and create a new first floor above the existing garage. The application also includes the installation of an external render system, alterations to fenestration, erection of a raised terrace to the south-east (side) and south west (rear) elevations.

Relevant History:

N/A

Existing Use(s):

01 Dwellinghouse

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:

The principle for extending the property at first floor level is acceptable due to the presence of approved first floor accommodation at No 5 and extant permission for a first-floor addition to No 7 (FULL/2022/0450) and other two-storey dwellings in the immediate vicinity.

The proposed first floor extension adopts a reasonable standard of design by virtue of its scale, form, siting and materials. Due to the position to one side of the dwelling, the first floor addition will not have a detrimental impact on the character of the area or visual amenity and will be 'read' in context with other first floor development observed in and around La Margion estate.

With regard to the effect of the development on the amenities of neighbouring residents, due to the concave design of the estate, the front gardens are typically overlooked. As the proposed first floor will only allow oblique views into the very front section of the front garden at No 7, and some views into No 5 at a distance of over 15m away, this relationship is considered acceptable. No north-west facing side windows are proposed at first floor.

The area of raised decking wraps around the front elevation, to the southeast (side) and south west (rear) and is 0.7m in height, decreasing to 0.5m in height at the front where land levels rise slightly. The decking is 1.5m wide around the front and side, widening to 3.5m at the rear. The side boundary with No 5 is composed of a mature evergreen hedge, approx. 2.5m in height, and this affords a reasonable level of screening for the neighbour.

The application site backs onto agricultural land, with no residential properties to the rear which means the rear raised decking is acceptable.

The current application is not considered to have a significant impact on the neighbours at No 7, in relation to either the existing relationship or extant permission. Likewise, the implementation of the extant permission is not considered to have any significant impacts on the amenity of the occupants of the application site due to orientation and intervening distances.

The use of an external insulated render system is acceptable and will not result in harm to the appearance of the dwelling.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development). Further details of the proposed solar panels are also required in order to ensure they will not harm the external appearance of the dwelling.

A landscaping condition has not been applied as the existing front boundary hedging is included on the plans and the new hedging shown to the side and rear of the decked areas is not considered significant to the scheme.

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.

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: 20/03/2023

