

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 demolish and rebuild south (side) gable wall, replace roof covering and install dormer windows to east (front) elevation, demolish part of garage and erect first floor extension, erect single storey extension to west (rear) elevation. Internal alterations and excavate to create external steps (revised). - Demolish/rebuild and increase floor area to garage and ground floor, relocate rooflight, install rooflights to rear (Protected Building) (Retrospective).

LOCATION: Hill View, Rue Du Gal, Le Variouf, Forest.

APPLICANT: Mr Curr & Ms Ravenscroft

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: 11/04/2023

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

Drawing Nos: ArcTECH: ET-19-931-03K & 04K

Application Ref: FULL/2023/0251

Property Ref: H004720000

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 28/08/2023.

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 28/08/2020, issued under planning application reference FULL/2020/0367, and subject to the terms and conditions thereof.

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

Expiry Date: This permission will cease to have effect on 28/08/2023 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/2023/0251
Property Ref: H004720000
Valid date: 30/01/2023
Location: Hill View Rue Du Gal Le Variouf Le Variouf Forest Guernsey GY8 0BH
Proposal: Variations to previously approved plans to demolish and rebuild south (side) gable wall, replace roof covering and install dormer windows to east (front) elevation, demolish part of garage and erect first floor extension, erect single storey extension to west (rear) elevation. Internal alterations and excavate to create external steps (revised). - Demolish/rebuild and increase floor area to garage and ground floor, relocate rooflight, install rooflights to rear (Protected Building) (Retrospective).
Applicant: Mr Curr & Ms Ravenscroft

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 28/08/2023.

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 28/08/2020, issued under planning application reference FULL/2020/0367, and subject to the terms and conditions thereof.

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

OFFICER'S REPORT

Brief Description of the site:

Hill View is a detached one and a half-storey Protected dwelling with painted exterior and pitched roof dormers in the front roofslope. The property has a red corrugated roof to the southern part of the building and a grey tile roof to the north. A detached garage is situated to the southwest of the dwelling (not protected). The property occupies a corner plot on Rue au Variouf and Rue des Fenetres, within the Conservation Area.

The application relates to variations to the previously approved scheme for extensions and alterations to the property, namely to demolish and rebuild the garage to the southwest of the dwelling and the installation of three rooflights in the rear/western roofslope of the dwelling. The application is retrospective as the works have been carried out.

The application submission sets out that when works commenced on the garage, the base condition of the garage was found to be unstable and in a worse state of condition and repair than previously expected. The only proportionate and structurally correct approach was to further remove those damaged and dangerous parts of the garage and rebuild on a like for like basis as previously approved under FULL/2020/0367. The three rear elevation roof lights are small Conservation Area roof lights which are not clearly visible from any public place and installed in utmost good faith to provide natural light and ventilation to the roof and the upper floor bedrooms and stairwell.

Relevant History:

FULL/2019/1584 - Demolish and rebuild south gable and install first floor windows. Replace roof covering and install replacement dormer windows to east (front). Partial demolition, rebuild and alterations to outbuilding to create habitable accommodation. Demolish extension and erect single storey extension to west

(rear). Replace existing windows. Excavations to create external steps to erect shed (Protected Building) – refused

FULL/2020/0367 - Demolish and rebuild south (side) gable wall, replace roof covering and install dormer windows to east (front) elevation, demolish part of garage and erect 1st floor extension, erect single storey extension to west (rear) elevation. Internal alterations and excavate to create external steps (revised) (Protected Building) - granted

Existing Use(s):

01 dwellinghouse

Assessment: *(Tick as appropriate)*

no representation	☐	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

Island Development Plan policies:

GP4: Conservation Area
GP5: Protected Building
GP8: Design
GP9: Sustainable Development
GP13: Householder Development
IP7: Private and Communal Car Parking

Representation:

One letter of representation has been submitted highlighting that contact has been made on numerous occasions with the Planning Service to highlight works that do not accord with approved plans and the applicant themselves have previously publicly referred to this on social media.

- The property has new, not reused pantiles to the front
- The front was to be painted, now large areas of concrete are clearly visible where previous windows once were
- The garage was to be partially demolished and reconstructed to create a 3rd bedroom but it was totally demolished – the resultant structure is considerably larger and higher than the original. It dominates the protected cottage beside it

- The approved staircase was hidden from view but the actual staircase has taken a large portion of the garden and dominates the front garden when you approach the hamlet from La Rue au Variouf
- The staircase is lit and there is recessed lighting in the parking area which will illuminate the centre of a once sleepy hollow
- The parking area and access have been enlarged by cutting back the hedge and eating into the garden
- Are the new granite walls approved?
- The ambience of the village as one of traditional Guernsey has been spoilt by the this project where the owners have run roughshod over the planning process

Conclusion/Brief comment:

The application includes a number of changes to the approved scheme and is retrospective as the works have already been undertaken. These works have a low effect on the overall special interest of the protected building and its setting. The works represent a reasonable aspiration of the property owner in accordance with Policy GP5. The development will not negatively affect the Conservation Area nor have an adverse impact on residential amenity with regard to sunlight/daylight and overlooking.

Although concerns have been raised regarding external lighting this does not represent development for which planning permission is required.

The application drawings also show the external walls as being lined with insulation which was not part of the previously approved scheme. This approach mixes old and new construction methods which can conflict with one another however this work has been assessed as a reasonable aspiration of the property owner in this instance.

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: 11 April 2023