

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 two storey extension to north (side) elevation, erect single storey extension and rooflight to east (rear) elevation.

LOCATION: La Maison Du Coin, Rue Du Tertre, Castel.

APPLICANT: Miss J Mitchell

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: 18/05/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/02/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services - 6351/A/1

Application Ref: FULL/2023/0376

Property Ref: D01134D000

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 submitted details, the cill of the high level window in the north facing elevation of the extension hereby approved (serving the ground floor) shall be set a minimum of 1.7 metres above finished ground floor level and shall be retained as such thereafter in perpetuity. No further windows shall be installed on that elevation.

Reason - To protect the reasonable amenities of neighbouring residents.

5.Notwithstanding the submitted details, no use of the balcony hereby approved shall begin until a 1.8m privacy screen, which shall be obscure glazed to a minimum of Level 3 on the Pilkington Scale (or equivalent), has been installed along the north edge. The privacy screen shall be retained thereafter in perpetuity unless otherwise agreed in writing by the Authority.

Reason: 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 17/05/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the erection of an extension to be used as an integral part of and incidental to the principal dwelling presently known as La Maison du Coin. It does not permit the operation of a trade or business, or the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

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/2023/0376
Property Ref: D01134D000
Valid date: 20/02/2023
Location: La Maison Du Coin Rue Du Tertre Castel Guernsey GY5 7JL
Proposal: Erect two storey extension to north (side) elevation, erect single storey extension and rooflight to east (rear) elevation.

Applicant: Miss J Mitchell

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 submitted details, the cill of the high level window in the north facing elevation of the extension hereby approved (serving the ground floor) shall be

set a minimum of 1.7 metres above finished ground floor level and shall be retained as such thereafter in perpetuity. No further windows shall be installed on that elevation.

Reason - To protect the reasonable amenities of neighbouring residents.

5. Notwithstanding the submitted details, no use of the balcony hereby approved shall begin until a 1.8m privacy screen, which shall be obscure glazed to a minimum of Level 3 on the Pilkington Scale (or equivalent), has been installed along the north edge. The privacy screen shall be retained thereafter in perpetuity unless otherwise agreed in writing by the Authority.

Reason: To minimise the effect of the development on the privacy and amenities of nearby residents.

INFORMATIVES

For the avoidance of doubt, this decision permits the erection of an extension to be used as an integral part of and incidental to the principal dwelling presently known as La Maison du Coin. It does not permit the operation of a trade or business, or the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'La Maison du Coin' is a two storey detached 1970's dwelling which is one of ten properties known as Le Tertre Estate. The property is set back from and faces west onto the Estate road, to the north and west are two other estate houses and to the east is a large detached protected building and to the south is open land. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

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:

GP5: Protected Buildings (Setting)

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

This application is to erect a two storey extension to the north side elevation, housing a studio and utility on the ground floor and a small dower unit on the first floor, and to erect a single storey extension to the east rear elevation to extend the kitchen and add a cloakroom.

The proposals achieve a good standard of design, using materials which complement the existing materials, the extension is slightly smaller with a lower ridge line and is subservient to the main dwelling. The extension will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation, and the proposed dower unit is well integrated with the existing accommodation.

The scale and massing of the new extension is not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it have any impact on the residential properties to the west or east.

The proposal would result in a significant increase to the bulk and massing of the dwelling adjacent to the north boundary however, given the offset from the boundary, depth of boundary treatment and organisation of the adjacent property, any overshadowing impact would be limited. A single high level window is proposed in the north elevation, preventing any overlooking from fenestration. The provision of a balcony to the front elevation could however result in overlooking of the adjacent property to the north, and it is recommended that a privacy screen be required along the northern edge of that balcony by condition.

There will be no detrimental impacts on the setting of the neighbouring Protected Building because the property is at a lower ground level than the protected building and there is an established boundary which prevents overlooking, as well as 13m of garden between the property and the boundary.

The new ground and first floor accommodation is approved only on the basis that it is ancillary to the main dwelling and neither the studio nor the dower unit should be used for separate purposes at any time.

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.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, 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: 18/05/2023

