

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 plans previously approved to sub-divide, extend and alter dwelling to create 3 units of accommodation - Install rooflights to rear and dormer windows to front and alterations to fenestration.

LOCATION: Hillside, Mont Morin, St. Sampson.

APPLICANT: Mr & Mrs M Hearne

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: 26/04/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 03/03/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 5930/C/1d.

Application Ref: FULL/2023/0386

Property Ref: B005300000

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 by 27/05/2024.

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 variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 28/05/2021, issued under planning application reference FULL/2020/2241, and subject to the terms and conditions thereof.

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

Expiry Date: This permission will cease to have effect on 27/05/2024 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/2023/0386
Property Ref: B005300000
Valid date: 03/03/2023
Location: Hillside Mont Morin St. Sampson Guernsey GY2 4JD
Proposal: Variations to plans previously approved to sub-divide, extend and alter dwelling to create 3 units of accommodation - Install rooflights to rear and dormer windows to front and alterations to fenestration.

Applicant: Mr & Mrs M Hearne

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 by 27/05/2024.

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 variations specified above. In

all other respects the development shall be carried out in full accordance with the permission dated 28/05/2021, issued under planning application reference FULL/2020/2241, and subject to the terms and conditions thereof.

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

OFFICER'S REPORT

Site Description:

The application site relates to the northern pair of semi-detached two-storey dwellings, situated towards the top of Mont Morin.

The site was subdivided from the attached dwelling which fronts on to the road in 2007. The most recent application (FULL/202/2241) approved the subdivision of the remaining dwelling to create 2 additional units. The variation now proposed, is for the installation of rooflights to the east and dormer windows to the west, along with other alterations to fenestration.

The site is within the Main Centre of The Bridge and the Delancey Conservation Area, as designated in the Island Development Plan. It adjoins Important Open Land to the west.

Relevant History:

FULL/2020/2241 – subdivide to create 3 units

26/01/2019 – FULL/2019/1239 - Permission granted to subdivide, extend and alter dwelling to create 2 units of accommodation.

18/10/2010 – FULL/2010/2795 – Permission granted to erect a conservatory on east elevation.

26/04/2007 – PAPP/2007/1084 – Permission granted to subdivide property to create two units of residential accommodation.

Existing Use(s):

01 Dwelling houses

Assessment: *(Tick as appropriate)*

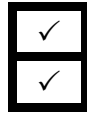
no representation
accords with policy

✓
✓

visual amenity acceptable
no material neighbour impact

✓
✓

within curtilage



design acceptable

traffic not affected



Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

Policy MC2: Housing in Main Centres and Main Centre Outer Areas

Policy GP4: Conservation Areas

Policy GP8: Design

Policy GP9: Sustainable Development

Conclusion/Brief comment:

During the course of consideration, the application was deferred due to concerns regarding the potential cluttered appearance of the eastern roof slope, particularly given the prominent position of the building at the top of the hill and within the Conservation Area. Amended plans have been received which have removed two of the rooflights and this is considered acceptable in relation to the external appearance and design, and compliant with Policies GP8 and GP4.

The variation will alter the impacts on the amenities of neighbouring residents, the west facing dormers are adjacent to a high boundary and are located an adequate distance from the neighbour to ensure harmful overlooking is unlikely. The new rooflight windows will allow some overlooking of the neighbours to the east, however given that there are existing first floor windows in the east elevation, this is not considered unacceptable in the Main Centre location.

Information has been submitted which demonstrates that sustainable development principles have been considered in accordance with the requirements of Policy GP9.

The proposal meets the above policies and is recommended for approval.

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: 26/04/2023