

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: Raise roof ridge height to create first floor accommodation, install external insulating render system and alterations to fenestration.

LOCATION: Highfield, Rue Du Presbytere, Castel.

APPLICANT: Mr & Mrs B Weldon

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: 22/05/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/03/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Torode Architects: 6278-07D, 08D & 09B.

Application Ref: FULL/2023/0413

Property Ref: D00919C000

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.Before the new first floor bedroom is first brought into use, the south facing dormer cheek window in the south side of the rear dormer must be glazed with obscure glass to a minimum industry standard privacy level 3. Thereafter the obscure glazing shall be retained as such.

Reason: To safeguard the amenity and privacy of the occupiers of adjoining residential property

Expiry Date: This permission will cease to have effect on 21/05/2026 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/2023/0413
Property Ref: D00919C000
Valid date: 20/03/2023
Location: Highfield Rue Du Presbytere Castel Guernsey GY5 7NE
Proposal: Raise roof ridge height to create first floor accommodation, install external insulating render system and alterations to fenestration.

Applicant: Mr & Mrs B Weldon

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.

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Reason: To safeguard the amenity and privacy of the occupiers of adjoining residential property

OFFICER'S REPORT

Brief Description of the site:

The site is located to the north of Castel Church, and is rectangular, with the bungalow set towards the western end and fronts onto Rue Du Presbytere. The large neighbouring dwelling to the north runs along the shared boundary with some windows facing into the application site. Land levels fall gently from west to east, towards the rear of the site.

The site is located within a Conservation Area and Outside the Centre, as defined in the Island Development Plan.

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:

GP4 – Conservation Area

GP8 – Design

GP9- Sustainable Development

GP13- Householder Development

Conclusion/Brief comment:

The proposal includes raising the roof of the dwelling by 1.4m, and eaves by 0.4m to allow for the introduction of a first-floor bedroom and bathroom.

The existing bungalow is immediately adjacent a much larger two storey dwelling to the north and a two storey dwelling to the south and so the increased height would not appear out of character in this context. The increased ridge height may have a small impact on the northern neighbours existing side windows, although the window which is considered to be most affected (that adjacent to the existing gable at first floor) is obscure glazed and so the small impact is considered to be acceptable.

The introduction of first floor windows to the front and rear elevations is considered appropriate, as these windows look primarily into the application site's garden and have a limited impact on neighbour amenity due to the location and orientation of the neighbouring dwellings.

There is an extant permission for the neighbouring site (to the south), which appears to now be under construction from the observations made during the site visit. This permitted a two-storey side extension with balcony and raised terrace to rear (FULL/2022/0691). The approved balcony is approx. 6.5m away from the side elevation of the dwelling and the proposed side gable window, and has a 1.8m privacy screen to the north which should prevent harmful views in/out of the balcony. The raised terrace is approx. 8m from the side window. This side window serves the first-floor bedroom, and following the submission of amended plans is now proposed to be obscure glazed and has a sill height of approx. 1.7m above floor level. This prevents any direct mutual overlooking of the neighbour's rear garden and raised patio.

The glazed dormer cheek to the rear dormer, although set further back into the site, is considered to allow for potentially harmful views of the neighbours most sensitive area of rear garden, and this is to be conditioned to be obscure glazed to prevent harm to neighbouring amenity.

The proposal also includes the addition of external render, and the infilling of an existing window in the south elevation at ground floor level. The infilling of this side window is acceptable and would have no material impact on neighbours or the external appearance of the dwelling. The external render is considered appropriate in the setting and will not have a material impact on the conservation area given that the existing building is smooth render and the neighbouring dwelling also very recently gained approval for external render.

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: 12/05/2023