

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 1.5 storey with link extension to south (side), relocate pedestrian access and widen vehicle access.

LOCATION: Bian V'Nu, La Garenne, Vale.

APPLICANT: Mr & Mrs N Gregg

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: 21/11/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 14/04/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Ben Gregg - 2170/21/1 Rev B, /2 Rev B & /3 Rev B.

Application Ref: FULL/2023/0414

Property Ref: C017160000

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 information submitted, within 2 months of the vehicular access being widened and the pedestrian access being formed (whichever is the sooner), the roadside wall shall be made good to match as closely as possible to the boundary treatment, in accordance with the approved details on drawing nos. 2170/21/3 Rev B.

Reason - to conserve the character and appearance of the Conservation Area and in the interests of visual amenity.

5.The roof of the hereby approved pitched roof extension, including the front (east) facing roof of the flat roof link, shall be finished in natural slate.

Reason - to conserve the character and appearance of the Conservation Area and in the interests of visual amenity as the information submitted is ambiguous.

Expiry Date: This permission will cease to have effect on 20/11/2026 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 Bian V'Nu. It does not permit 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/2023/0414
Property Ref: C017160000
Valid date: 14/04/2023
Location: Bian V'Nu La Garenne Vale Guernsey GY3 5SQ
Proposal: Erect 1.5 storey with link extension to south (side), relocate pedestrian access and widen vehicle access.

Applicant: Mr & Mrs N Gregg

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 information submitted, within 2 months of the vehicular access being widened and the pedestrian access being formed (whichever is the

sooner), the roadside wall shall be made good to match as closely as possible to the boundary treatment, in accordance with the approved details on drawing nos. 2170/21/3 Rev B.

Reason - to conserve the character and appearance of the Conservation Area and in the interests of visual amenity.

5. The roof of the hereby approved pitched roof extension, including the front (east) facing roof of the flat roof link, shall be finished in natural slate.

Reason - to conserve the character and appearance of the Conservation Area and in the interests of visual amenity as the information submitted is ambiguous.

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 Bian V'Nu. It does not permit 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 application site, known as Bian V'Nu comprises a traditional semi-detached dwelling located to the west of La Garenne. The property is located in a Conservation Area and is outside of the Centres as designated in the Island Development Plan

Planning permission is sought to erect a 1.5 storey pitched roof extension with a flat roof link to the south of the dwelling. The ground floor will serve as a garage, with a utility room, with access to the main house. The first floor will serve as a recreation room.

The application also includes relocating a pedestrian access and widening the vehicle access.

The application was deferred as some concerns were raised over the design and detailing of the scheme, its effect on the built environment, and the potential impact on the amenities of the existing occupiers.

The agent has incorporated a more traditional roof form to the rear of the existing and proposed pitched roof extension and has setback the flat roof link away from

the rear façade. It is also proposed to clad the first floor of the pitched roof and flat roof link to the rear of the property, and the south elevation at ground floor, to match that of the main house.

Relevant History:

PREA/2022/0244	Extend and alter dwelling.	Pre-application enquiry
FULL/2013/0724	Demolish existing and erect replacement extension, install a dormer window to the front of the dwelling and erect a garage.	Granted

Existing Use(s):

Residential

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 Areas
GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Conclusion/Brief comment:

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.

Policy GP4 (Conservation Areas) states that proposals for development within a Conservation Area will be supported where the development conserves and, where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area. Furthermore, it is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting Conservation Areas that special attention shall be paid to the desirability of preserving and enhancing the character and appearance of that Area.

In light of the policy context above and for the purposes of Policy GP8 (Design), the proposed scheme is considered to adopt a high enough standard of design by virtue of its scale, form, massing, siting and materials adopted.

Whilst the incorporation of a flat roof link at first floor level does detract from the design and appearance of the scheme, the rear elevation is not visible within the Conservation Area, and based on the amendments secured, the detailing has been improved sufficiently by setting back the flat roof away from the rear façade.

The flat roof element will be visible from the Conservation Area, although the effect will be negligible given that it will be disguised by a lean-to roof and will be finished in slate to match the main house. It is reasonable and necessary to ensure that the roof material is of natural slate given the limited annotations on the drawings submitted.

The two-storey flat roof nearest the ground floor kitchen/dining room has been omitted and therefore will not cause undue levels of overshadowing, or have an overbearing effect on the amenities of the occupiers of the dwelling.

The proposed Juliet balcony to the rear of the property will enable views towards the rear garden of neighbouring properties, particularly to the south of the application site, although these views will be restricted to oblique angles and will be similar to that of the existing Juliet balcony. Consequently, the design of the first-floor fenestration will result in overlooking, although the effect does not give rise to any significant adverse impacts towards neighbouring residents that would be sufficient to rebut the general support in favour of householder development.

Overall, due to its position and design, the proposal will not have a detrimental impact on the character or appearance of the Conservation Area, visual amenity, or the amenities of neighbouring residents.

The alterations to the boundary wall to the front of the property is acceptable in terms of the widening of the vehicle access and the pedestrian access.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 20/11/23

