

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: Demolish extension, erect two-storey and single storey extensions including terrace at first floor level to north (rear) elevation. (Revised scheme).

LOCATION: Highfield, Rue De Rougeval, Torteval.

APPLICANT: Mrs Z Collenette

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: 25/08/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/03/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd: 7734-01/B1A, /B2A, /B3A & /B4A.

Application Ref: FULL/2023/0536

Property Ref: G003740000

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.The privacy screen located to the east elevation of the hereby approved first floor terrace shall be glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) and shall thereafter be retained at all times prior to the terrace hereby approved being brought into first use.

Reason - To protect the amenities of neighbouring residents.

5.All ground floor windows along the east elevation of the existing house and hereby approved extension shall be fixed shut and glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) and shall thereafter be retained at all times.

Reason - To protect the amenities of neighbouring residents.

6.Prior to the installation of the external cladding, a finished sample of the cladding shall be agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - In the interests of visual amenity due to its visibility of the dwelling-house from Rue De Rougeval.

Expiry Date: This permission will cease to have effect on 24/08/2026 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/2023/0536
Property Ref: G003740000
Valid date: 15/03/2023
Location: Highfield Rue De Rougeval Torteval Guernsey GY8 0PE
Proposal: Demolish extension, erect two-storey and single storey extensions including terrace at first floor level to north (rear) elevation. (Revised scheme).

Applicant: Mrs Z Collenette

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. The privacy screen located to the east elevation of the hereby approved first floor terrace shall be glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) and shall thereafter be retained at all times prior to the terrace hereby approved being brought into first use.

Reason - To protect the amenities of neighbouring residents.

5. All ground floor windows along the east elevation of the existing house and hereby approved extension shall be fixed shut and glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) and shall thereafter be retained at all times.

Reason - To protect the amenities of neighbouring residents.

6. Prior to the installation of the external cladding, a finished sample of the cladding shall be agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - In the interests of visual amenity due to its visibility of the dwelling-house from Rue De Rougeval.

INFORMATIVES

OFFICER'S REPORT

Site Description:

The application site is located Outside of the Centres as designated in the Island Development Plan.

The property is located north of Rue De Rougeval. The property has been extended over the years, particularly to the side and rear of the property, and features an attractive façade which is highly visible in the street scene.

Large areas of glass once stood to the side and rear of the property, although have since been cleared from the site. The whole site is recognised as domestic curtilage.

The surrounding area is predominantly residential in character, with a mix of building types and styles. The application property and neighbouring property to the east known as Rougeval Laitte Revel appear to have been built at the end of the 19th Century and the early part of the 20th Century, with the properties to the south of the road being built around the mid-20th century.

An application to demolish an extension and erect a 1.5 storey and single storey extension with balconies and external staircase at first floor level was recently refused planning permission. The application was refused on grounds of being overbearing and disproportionate to the size and proportion of the property by virtue of its scale, bulk and mass and did not represent 'good' design for the purposes of Policy GP8. In addition, the introduction of an extension, in the design adopted, would be at odds with the surrounding built environment along Rue De Rougeval, to the detriment of the character and appearance of the surrounding area.

Relevant History:

FULL/2022/0368	Demolish extension, erect 1.5 storey and single storey extension with balconies and external staircase at first floor level.	Granted
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Existing Use(s):

Residential

Brief Description of Development:

Following the refusal, planning permission is now sought to demolish an extension and erect a two storey and single storey extensions to the rear of the property, and features a terrace at first floor level.

The proposal seeks to create a kitchen, dining, sitting area, living and entrance lobby on the ground floor, and 2 bedrooms at first floor level with ensembles and a bathroom. The terrace will lead out of the master bedroom.

The proposal adopts a traditional pitched roof, two storey extension, with a first-floor flat roof link, connecting the original property with the new extension. The majority of the extension will be finished in smooth rendered walls, with a natural slate roof, and aluminium windows and doors, with a glass balustrade around the terrace.

The application was deferred over concerns regarding the design of the extension and the impact on neighbouring amenities.

The agent has reduced the overall width of the extension on the first floor and brought in the walls on the flat roof link. The projecting double pile roof extension will be set in from the original house by 300mm, and the flat roof by 500mm respectively.

Obscure and fixed glazing has been incorporated on the east elevation and an obscure glass privacy screen has been incorporated on the terrace to the rear.

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

GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Representations:

The Authority has received 2 representations from two parties objecting to the original proposal. Grounds for objection principally relate to the following issues:

- Loss/impact on private views.
- Size of extension compared to floor area of the original property.
- Overshadowing.
- Overlooking.
- Inaccuracies on the drawings regarding windows.
- Pollution from proposed chimney.
- Boundary issue regarding structure to be demolished.

The Authority has received 2 representations from two parties objecting to the revised proposal. Grounds for objection principally relate to the following issues:

- Concerns still remain unchanged as outlined in the original letters of representation.
- Improvement to the original scheme due to obscure glazing, and reduction in width of the extension.
- Little difference between the original scheme and the revised scheme.

Consultations:

None.

Summary of Issues:

- Whether the design, scale, mass, siting, form and materials of the proposed development is acceptable.
- The impact of the development on the character and appearance of the area.
- The impact of the development on neighbour amenity.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

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.

Design and the impact of the development on the character and appearance of the area.

The application site comprises a late 19th Century/early 20th century building. The property is based on a 19th century inspired villa which features classical architecture principles, where aspects such as balance/symmetry and proportionality are visible. Therefore, the age of this building can be sensitive to certain types of development, despite not comprising a protected building, nor being sited within a Conservation Area.

The demolition of the structures to be removed is supported under Policy.

Unlike the previous scheme which was refused planning permission, the proposal adopts a double pile roof and incorporates a flat roof link to help minimise the visual mass and bulk of the development to respect the original the scale, mass and form of the main house, whilst meeting the aspirations of the homeowner to extend their property.

Whilst it is acknowledged that the extension is large in terms of its floor area when compared to the original house and that some reservations remain over the flat roof link as this is likely to be visible in oblique angles from Rue de Rougeval, the amendments secured by virtue of reducing the width of the extension and the first floor link will help to improve the detailing of the scheme. The improved details of the scheme will in turn help to minimise the visual mass and bulk of the development from public vantage points. In addition, the existing lean-to extension and pitched roof single storey extension to the side (west) of the dwelling will also help to 'break-up' the mass and bulk of the two storey projecting extension to the rear.

Consequently, the degree of harm as a result of the additional visual mass and bulk of the property would not cause a significant detrimental impact on the character of the area or visual amenity to warrant refusal. This has been balanced against the flexibility in Policy GP8 which sets out that *"new development will be expected to take into consideration and to respect, but not necessarily replicate, the character of a location, including the density of surrounding development."*

The extension will be subservient to the main dwelling in terms of its scale, and adopts a material palette which reflects and respects those materials used on the main dwelling and in the wider area i.e. natural slate roof and smooth rendered walls. It is necessary and reasonable to require full details of the proposed weather board cladding to ensure that this material is acceptable in the interests of visual amenity.

Overall, the proposal adopts a 'good' standard of design by virtue of its scale, form, massing, siting, materials and detailing. The agent has carefully used a double pile approach to the design, complemented with varying scales, forms and traditional materials, to limit the overall visual mass and bulk of the development when 'read' in the street scene.

The impact of the development on neighbour amenity.

The proposal is not considered to cause significant harm to the amenities of neighbouring residents when taking into account the scale, mass and form of the extension, orientation and distance between the two-storey extension and the neighbouring boundary to the east (approx. 4m), and the neighbour's property beyond (approx. 6.5m).

The proposed extension will be on the same line as the east gable of the main part of the house and adopts a double pile style roof form of varying heights and forms and therefore does not represent a reasonable reason to justify refusal, in terms of overshadowing or having a significant overbearing effect. In addition, the flat roof link will help to break up the mass and bulk of the proposal, thereby reducing its overshadowing effect for this aspect of the development.

With regards to overlooking, the development has been amended to respect the amenities of neighbouring residents. Due to the ground floor extension being built on or near the east boundary of the site, it is reasonable to condition that the ground floor, and first floor windows, be obscure glazed to respect the amenities of the neighbouring residents to the east (Rougeval Laitte Revel).

The height and design of the flue would not be reasons for refusal as it is sufficiently set back from any neighbouring property to not cause any material effect, despite the representation made regarding emissions. However, should this matter become a problem for neighbouring residents in the future it can be assessed by Environmental Health.

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

Other matters:

All representations have been carefully considered as part of this application, and where appropriate have been addressed above. It is also noted that the loss or impact on private views, and boundary issues, are not a material planning consideration as defined in Part IV, 13.1 of The Land Planning and Development (General Provisions) Ordinance, 2007.

Conclusion:

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, accords with the purpose of the Law, and the requirements of the material considerations; it is therefore recommended that planning permission be granted, subject to conditions

Date: 23/08/23

