

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 form pitched roof creating accommodation at first floor level (Option 1).

LOCATION: Jokulsarlon, 2 Merryvale Chalets, La Route De L'Islet, St. Sampson.

APPLICANT: Mrs R Ellis

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: 02/08/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/06/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Chescoe Chartered Surveyors: 2164-04, 05 & 06

Application Ref: FULL/2023/0951

Property Ref: B017170002

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, all the southeast facing dormer gable windows shall be obscure glazed, to a minimum of Level 3 on the Pilkington Scale (or equivalent) which shall have fixed panels on the lefthand side and top/side hung openable windows (highlighted on the approved plans) on the righthand side. The dormers 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 01/08/2026 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/2023/0951
Property Ref: B017170002
Valid date: 23/06/2023
Location: Jokulsarlou 2 Merryvale Chalets La Route De L'Islet St.
Sampson Guernsey GY2 4EQ
Proposal: Raise roof ridge height to form pitched roof creating
accommodation at first floor level (Option 1).

Applicant: Mrs R Ellis

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, all the southeast facing dormer gable windows shall be obscure glazed, to a minimum of Level 3 on the Pilkington Scale (or equivalent) which shall have fixed panels on the lefthand side and top/side hung openable windows (highlighted on the approved plans) on the righthand side. The dormers 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.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Jokulsarlon' is an attached single storey 1970's bungalow, which faces southeast directly onto an access road. The other attached bungalows are to the northeast and southwest with a two storey apartment building attached to the west. There are other residential properties to the east, south and west. The group of buildings are located just to the south of Le Route de L'Islet at a lower level. Between the road and the access road there is land classed as a Site of Special Significance. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2023/0931 - Raise roof ridge height and alter roof form to create first floor accommodation with balcony at west elevation (Option 2) – pending.

PREA/2022/2070 - Extend dwelling at first floor level – Closed November 2022.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

X
X
X
X

visual amenity acceptable
no material neighbour impact
traffic not affected

X
X
X

Policies considered most relevant:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

This application is to raise the roof height and add two dormer windows on either side of the roof to create first floor accommodation. The northwest facing dormer windows sit 90 degrees from and around 4m away from the existing first floor windows of the neighbouring property to the west. The dormers windows limit the impact on the existing neighbouring property due to the obscure angles thus smaller opportunities to overlook.

The southeast facing dormers, however, overlook the property to the southeast with there being less than 6m between properties. These windows serve a bathroom and dressing room as shown on the drawings. Although not mentioned on the drawings, the supporting letter does note that the glazing on both of these windows will be opaque glazing, which would allow light in, but reduce the opportunity for overlooking and given the rooms they would serve would not undermine the living environment of occupiers of Jokulsarlon. The opening window will have a limited opening span to further reduce overlooking, but allow for ventilation, this can be conditioned.

The proposals are considered to achieve a good standard of design, using materials which complement the existing materials. The first floor extension will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation. The proposals are considered to be an efficient and effective use of land.

The scale and massing of the new roof line and dormers are not considered to have a detrimental effect on the character and amenity of the surrounding area because although the ridge will be set slightly higher than the neighbour to the north it is still in line, and will still be lower than the ridge line of the taller two storey Grand Havre apartment building. Plus, due to mitigation as described above, the proposals will not have any impacts on either of the immediate neighbours.

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: 24/07/2023

