

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 and install dormers to create accommodation at first floor level, erect single storey extension to south (front) and to north (rear) elevation.

LOCATION: Barbelottes, Rue Du Marais, Castel.

APPLICANT: Mr & Mrs Reeves

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: 10/07/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 19/05/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 6366/A/2

Application Ref: FULL/2023/0966

Property Ref: D004140000

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.

Expiry Date: This permission will cease to have effect on 09/07/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing building may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg

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/2023/0966
Property Ref: D004140000
Valid date: 19/05/2023
Location: Barbelottes Rue Du Marais Castel Guernsey GY5 7LE
Proposal: Raise roof ridge height and install dormers to create accommodation at first floor level, erect single storey extension to south (front) and to north (rear) elevation.

Applicant: Mr & Mrs Reeves

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.

INFORMATIVES

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing building may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a detached bungalow situated to the north of Rue Du Marais at its junction with Ruelle Julienne. Surrounding the site, the area comprises residential properties of mixed building types with two storey dwellings to the east and south, and bungalows of mixed design to the west.

The site is situated Outside of the centres as designated in the Island Development Plan.

Relevant History:

FULL/2009/1123	Erect a porch	Granted 15/06/2009
PAPP/2008/3033	Erect a porch	Granted 24/10/2008
PAPP/2007/1528	Erect a Porch.	Granted 23/07/2007
PAPP/2006/3444	Erect a porch.	Granted 17/10/2006

Existing Use(s):

Residential – Use Class 1

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:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

Although not objecting to the application an email was received from La Societe Guernesiaise dated 10th June 2023 requesting that the following informative be added should permission be granted:

"Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing building may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg"

Conclusion/Brief comment:

Planning permission is sought to raise the ridge height of the roof of the property and to install dormer windows to the front and rear elevations, to erect a single storey extension attached to the rear elevation (north facing) and a porch attached to the front elevation (south facing).

The proposed alterations are of an appropriate scale, mass, and form so as not to detract from the openness of the surrounding area. The alterations and the materials to be used will be subservient to the host dwelling and will be in-keeping with the character and appearance of the surrounding area, which comprises a mixture of building types and design. Overall, the scheme achieves a good standard of design for the purpose of Policy GP8.

The outbuildings that exist on site along the west boundary, together with the existing boundary screening will prevent views from the ground floor extension extending towards the garden area of the neighbouring property. Although the dormer windows in the rear elevation will increase the potential to look towards the garden area of the neighbouring property to the west, they are situated sufficient distance from the boundary and any views would be at an oblique angle and would therefore not cause undue harm.

A window is present in the east facing gable of the neighbouring property to the west (La Retraite) which faces towards the driveway of the application site. Although by increasing the bulk and mass of the property this window will be affected in terms

of overshadowing to a degree, given that the property at the application site is set slightly further back within the site, any impact would be for a short period of the day, during the early morning and would not cause significant harm. The property is sufficient distance from the boundary and any overshadowing to the rear garden area of the neighbouring property would not be so substantial to warrant the refusal of permission.

The property to the east is separated by an access track and has outbuildings situated along the boundary that will prevent any harm resulting from the development.

No alterations are proposed to the existing access and sufficient offroad car parking exists to accommodate any increase in parking requirements resulting from the proposal.

Sufficient information has been submitted to demonstrate that the scheme has been designed to take into account the criteria of Policy GP9 (Sustainable Development).

The drawings also show that all elevations of the property will be externally insulated and re-rendered, however this is considered Exempt works under Schedule 1, Class 1(28) of the Land Planning and Development (Exemptions), Ordinance, 2023.

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.

For the reasons contained within this report the proposal satisfies the above mentioned policies.

Recommendation:

Grant with Conditions



Date: 07/07/2023