

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 extend and alter at ground floor level and create first floor level accommodation, create pedestrian access to west boundary.

LOCATION: Le Courtil D'Aval, Rue De La Claire Mare, St. Pierre Du Bois.

APPLICANT: Mr S D Burt & Ms J E Chantry

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: 13/11/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 05/06/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 6371/A 4, 5a & 6a

Application Ref: FULL/2023/1025

Property Ref: F002870000

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 12/11/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the creation of a dower unit to be used as an integral part of and incidental to the principal dwelling presently known as Le Courtil D'Aval. 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/2023/1025
Property Ref: F002870000
Valid date: 05/06/2023
Location: Le Courtil D'Aval Rue De La Claire Mare St. Pierre Du Bois
Guernsey GY7 9QA
Proposal: Raise roof ridge height and extend and alter at ground floor
level and create first floor level accommodation, create
pedestrian access to west boundary.
Applicant: Mr S D Burt & Ms J E Chantry

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

For the avoidance of doubt, this decision permits the creation of a dower unit to be used as an integral part of and incidental to the principal dwelling presently known as Le Courtil D'Aval. 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 comprises a detached bungalow which is located on a corner plot. The property is sited outside of the Centres as designated in the Island Development Plan.

The most recent application was granted permission in 2022 which sought various amendments to the original scheme approved in 2021 (FULL/2021/0160).

Planning permission is now sought to:

- Demolish a conservatory and extension, and create a dower unit at ground and first floor level.
- Raise roof ridge height to create 1st floor accommodation above the original dwelling and approved extension to the rear. The proposal will in effect create a double-pile roof with a flat roof extension at first floor level.
- To create a 1.5 storey glazed porch to the front (west) of the building.
- To remove a 1.2m section of the boundary to create a pedestrian path to the front.
- Alter the fenestration.

The application was deferred over concerns over the flat roof link to the north and the extent of the dower unit to the south of the dwelling.

The agent has provided further information in respect of the use of the dower unit and has altered the materiality of the first-floor flat roof link in attempt to overcome the concerns raised.

Relevant History:

FULL/2022/1162	Demolish conservatory and extension, raise roof ridge height to create 1st floor accommodation, single storey extensions to north-east (rear) and south-east (side) elevation, install external insulating render system and alterations to fenestration (revised scheme).	Granted
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FULL/2021/0160	Change of use of agricultural land to domestic garden (975sqm). Demolish extensions and outbuilding. Raise ridge height, extend and alter at ground floor level and create first floor accommodation and dower unit. Erect 1.5 storey detached garage/office and glasshouse, infill existing and create new vehicular access to north boundary.	Granted
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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:

GP1 Landscape Character and Open Land

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.

The proposal adopts a similar design to that approved in 2022 in terms of the general overall scale and form. However, the mass and bulk of the property has substantially increased. The agent has attempted to break down the mass and bulk by creating a double pile roof to the rear, and a subservient extension at first floor level to the south. A change in materials has also been used to limit the visual mass of the building.

The proposal does not achieve a particularly high standard of design in terms of the mass and bulk of the extensions and the detailing proposed. In particular, the incorporation of a large flat roof link, the detailing of the roof (particularly to the rear), together with the layout and use of cladding materials, and the overall composition and limited cohesion of the fenestration. However, in less sensitive areas such as this, Policy GP8 allows a degree of flexibility to enable the property owner to exert personal choice in design matters. Therefore for the purposes of

Policy GP8, the proposal is considered to achieve a 'good' standard of design and despite being visible from multiple vantage points, the proposal is not considered to cause undue harm to the character of the area or visual amenity to warrant refusal.

The dower unit is acceptable under Policy GP13 and in line with the dower unit advice note.

The loss of a 1.2m wide section of the roadside boundary is not considered to justify refusal when taking into account the impact on the landscape character (Policy GP1) and the reasonable aspirations of the property owner (Policy GP13).

Consequently, the proposal is supported under Policy GP8, GP9 and GP13.

The proposed development would not have a detrimental effect on the amenities of neighbouring residents.

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; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 13/11/23