

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 create 1st floor level to existing garage and erect 2 storey extension to south elevation of detached garage to create dower unit with glazed link to main dwelling.

LOCATION: Oak Lodge, La Route Des Farras, Forest.

APPLICANT: Mr & Mrs L Mooney

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: 07/11/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/07/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Create Ltd - 963-3- 012B, 013A & 014A.

Application Ref: FULL/2023/1130

Property Ref: H001450000

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 06/11/2026 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 Oak Lodge. 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/2023/1130
Property Ref: H001450000
Valid date: 11/07/2023
Location: Oak Lodge La Route Des Farras Forest Guernsey GY8 0EA
Proposal: Raise roof ridge height to create 1st floor level to existing garage and erect 2 storey extension to south elevation of detached garage to create dower unit with glazed link to main dwelling.

Applicant: Mr & Mrs L Mooney

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).

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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 erection of an extension to be used as an integral part of and incidental to the principal dwelling presently known as Oak Lodge. 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

Site Description:

The property known as 'Oak Lodge' is a two and a half storey early 20th century detached dwelling, which is set far back from and faces north onto La Route de Farras. There are neighbouring detached properties to the east, west and across the road to the north and one pair of semi-detached properties to the south. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2022/2006 - Demolish extension, extend at ground and 1st floor level to south (rear) elevation and erect single storey extension to south elevation of outbuilding – Approved December 2022.

FULL/2022/1405 - Alterations to an existing access and works to create a new access to north boundary, erect gates to east boundary and erect fencing to east and south boundaries (part retrospective) – Approved September 2022.

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

Initially the description of the proposals was to raise the roof ridge height to create a first floor over the existing garage and erect a two storey extension to the south of the detached garage to form a dower unit with glazed link to the main dwelling.

The application was deferred because the size of the proposed dower unit was considered far too big with two large bedrooms at first floor.

Amended drawing were then submitted with a reduced scheme, omitting the first floor entirely and only providing one single bedroom in the single storey dower unit

behind the existing garage, which will have the garage door replaced with a window to become a craft/hobby room.

The new scheme was sent to the representors for further comment, however no further comments were received.

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

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Representations:

There were three letters of representation to the two storey scheme and the issues were;

- The plans state that the proposal is a dower wing, but in theory - apart from a linking corridor - is a totally new house in a very small space.
- The scheme is pretty much a new dwelling and so would overload the already inadequate sewerage system (The main dwelling and the two houses to the south are not connected to the Main drain and still use a cess pit which needs emptying twice a week.
- The proposals would block the outlook for the neighbour to the east.
- Demolition would be noisy and possibly cover the easterly neighbours in dust.
- The neighbours to the south are very concerned that the size and height of the proposal would have an adverse impact on their property and would be extremely overbearing. Oak Lodge is a Victorian House and already has plans approved for an extension to the rear
- of the property, to which they had no objection but this proposal is of considerable size, in fact, another 2 bedroom dwelling and would be completely inappropriate.
- To build this proposed dwelling would have a detrimental effect on the neighbours to the south and it would block sunlight and be completely out of keeping with the area.

No further comments were received in response to the amended single storey scheme.

Consultations:

None

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

The amended scheme omits the first floor and now shows a single storey rear extension to the detached garage, which houses a spacious Kitchen Dining Lounge area, a tiny single bed room which is only just exceeds the minimum size required by Guernsey Technical Standards. And a large bathroom. The existing garage is to be a proposed store/craft hobby room with a separate entrance.

The proposals are now considered to achieve a reasonable standard of design, using materials which complement the existing materials. The rear garage extension will provide adequate levels of sunshine and daylight, and give the occupiers even more flexible and adaptable accommodation.

The scale and massing of the new garage extension is not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it 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.

The comments regarding the sewerage system are noted, and the foul water drainage will be assessed under Building Regulations.

3 - General material considerations set out in the General Provisions Ordinance.

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. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 07/11/2023