

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: Erect two storey and single storey extensions and pergola to north-west (rear) elevation and install window to north (side) elevation.

LOCATION: Pirbright, Old Mill Road, St. Martin.

APPLICANT: Ms P Orchard & Mr Y Madhar

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: 07/12/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 05/07/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd: 7701-01 B1A, B2A, B3A

Application Ref: FULL/2023/1212

Property Ref: J012500000

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.No cladding shall be brought to the site until such time as details of the type, texture and colour of the cladding material(s) to be used have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development in the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 06/12/2026 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/2023/1212
Property Ref: J012500000
Valid date: 05/07/2023
Location: Pirbright Old Mill Road St. Martin Guernsey GY4 6DB
Proposal: Erect two storey and single storey extensions and pergola to north-west (rear) elevation and install window to north (side) elevation.

Applicant: Ms P Orchard & Mr Y Madhar

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.

4. No cladding shall be brought to the site until such time as details of the type, texture

and colour of the cladding material(s) to be used have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development in the interests of visual amenity.

INFORMATIVES

OFFICER'S REPORT

Site Description:

The application site known as 'Pirbright' comprises a traditional semi-detached Victorian building located to the west of Old Mill Road. The building is raised above the street level, accessed by a flight of steps. A narrow passageway is located to the north of the north elevation which provides pedestrian access to Pirbright and the neighbouring property known as 'Our Ouse'. To the rear, lies an elongated doglegged garden.

The property is located in a Local Centre as designated in the Island Development Plan. The property is not a protected building, nor is it sited within a Conservation Area.

Relevant History:

Caledonia FULL/2014/0942	Demolish existing lean-to extension and erect single storey rear extension (west) and construct dormer window to front.	Granted
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Existing Use(s):

Residential.

Brief Description of Development:

Planning permission is sought to erect a ground floor and first floor extension and a pergola to the rear (north-west) elevation, and install a window to north (side) elevation. The ground floor extension will serve as a dining room, kitchen, utility and shower room.

The application was deferred as concerns were raised in respect of the proposed first floor's relationship to the neighbouring property to the north with regards to overshadowing and overbearingness.

The agent has submitted revised drawings and additional shadow analysis information in attempt to overcome the concerns raised. The first-floor extension has been reduced in size, and therefore extends off the rear elevation of the main house by approximately 4m-5.5m and has been set further away from the north boundary by 200mm.

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

GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Representations:

None.

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.

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.

Policy context:

Policy GP13 (Householder Development) states that proposals for the alteration and/or extension of residential properties within the residential curtilage, will be supported where there are no significant adverse effects on the amenities of neighbouring properties; the design, scale, mass and form would not detract from the open character of open locations; and they do not affect the special interest of

Conservation Area, Area of Biodiversity Importance, protected building or protected monument.

The preceding text of Policy GP8 (Design) refers to the need to consider the material planning considerations as specified in Part IV, Section 13 of the Land Planning and Development (General Provisions) Ordinance 2007. These include the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used, as well as its likely effect on the character and amenity of the locality in question and its likely effect on the reasonable enjoyment of neighbouring properties.

As set out in paragraph 19.9.9 of Policy GP8:

“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. In this respect new development will be expected to demonstrate the most effective and efficient use of land. The Strategic Land Use Plan identifies multi-storey buildings as constituting a more efficient use of land than single storey buildings. Therefore development proposals should consider a multi-storey design from the outset, unless there are overriding reasons why this design approach would be unacceptable within a particular locality.”

It is also noted in paragraph 19.9.5 of Policy GP8 that:

“In other, less sensitive, areas a good standard of design will be expected, however the Island Development Plan adopts a supportive position with regard to building design in these areas to enable the property owner to exert personal choice in design matters. This adopts the flexible and proportionate approach that underpins the Plan Objectives of the Island Development Plan.”

Policy GP8 also sets out that *“All new development will be expected to achieve a good standard of design which respects and, where appropriate, enhances the character of the environment.... and that... development is expected to respect the character of the local built environment or the open landscape character concerned.”*

Ground floor extension:

The proposed flat roof ground floor extension is long and disproportionate when compared to the footprint of the main house. Although, due to narrow plot size and by retaining pedestrian access to the side of the extension in order to access the rear garden, the length proposed is considered justified and reasonable in this case. Overall, the length of the extension would not cause undue harm to the rear-built form of the surrounding area, visual amenity or the amenities of neighbour residents. The design of the ground floor extension complies with Policy.

First floor extension:

Careful consideration has been given to the effect of the development on the amenities of neighbouring residents. In light of the revised drawings, the extension has been setback further away from the north boundary and has been reduced in length. The shadow analysis has satisfactorily demonstrated that the first-floor extension would have a limited shadowing effect, particularly in the shoulder months of the year (March and September), therefore the degree of shadowing would not warrant refusal.

Whilst the extension is likely to have an overbearing effect, particularly to the north of the application site, the harm caused by this effect would not lead to overriding reasons to refuse the application, particularly as the extension has been designed in a manner that takes into account the narrow plot sizes by virtue of the flat roof, curved walls, its reduced length and being offset from the north boundary.

The extension will inevitably result in overlooking towards neighbouring properties, although these views afforded by the first-floor window will be restricted to oblique angles given that the position of the first-floor window focuses views directly towards the rear garden of Pirbright and not neighbouring properties. Consequently, the relationship between the first-floor window and the rear gardens of neighbouring properties is acceptable and would not undermine the private external amenity space of neighbouring properties.

The agent has paid attention to the narrow plot sizes to the rear of this semi and small terrace to the north, the close proximity between properties, and the doglegged rear gardens. The design of the scheme has successfully responded to these factors, but equally important, it has acknowledged the potential adverse effect it could pose to the amenities of neighbouring residents. As a result, the challenging constraints of the site has led to the creation of a first-floor flat roof extension (as opposed to a traditional pitched roof extension), with curved walls and fenestration which responds to the site, whilst ensuring a good standard of internal amenity space is achieved. In addition, the proposal will not be visible along Les Camps du Moulin due to mature landscaping which lines the east and south boundaries of 'Les Campfield Bungalow', located to the west of the application site.

The design of the timber cladded and curved walled, first floor flat roof extension is different to that of the main house (and neighbouring properties) by virtue of contrasting styles, forms, appearance and materiality. However, the proposed first floor extension on its own merit achieves a high enough standard of design that would not lead to an unacceptable relationship between the development and the main house, and the wider character of the area. The detailing between the first-floor extension and the neighbouring lean-to extension to the south is unfortunate, although this detailing would not be visible from public vantage points along Les Camps du Moulin.

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.

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

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

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Date: 06/12/23

