

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 extension at first floor level to south (side) elevation with balcony to front and rear elevations.

LOCATION: Fort Le Crocq, Route De La Marette, St. Saviour.

APPLICANT: Mr P E Morris & Mrs S E Lloyd

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: 24/10/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/09/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: The Drawing Room Ltd: 348/C1, /C2, /C3, /C4, /C5A, /C6A.

Application Ref: FULL/2023/1525

Property Ref: E004670000

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 23/10/2026 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 Fort Le Crocq. 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/2023/1525
Property Ref: E004670000
Valid date: 18/09/2023
Location: Fort Le Crocq Route De La Marette St. Saviour Guernsey GY7 9XB
Proposal: Erect extension at first floor level to south (side) elevation with balcony to front and rear elevations.

Applicant: Mr P E Morris & Mrs S E Lloyd

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 erection of an extension to be used as an integral part of and incidental to the principal dwelling presently known as Fort Le Crocq. 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:

Fort Le Crocq is a detached flat roof dwelling with turret features to the west elevation. The property is accessed via a long driveway from Route De La Marette to the west. There are glimpse views of the property from the lane. The property is situated on an open headland and the site is visible from Richmond Kiosk, Vazon Road, Vistas, Vazon Road and Fort Hommet to the east. The property benefits from a detached garage to the south and the west and south boundaries are landscaped whilst the northern boundary is open to the beach.

The application relates to the erection of a flat roof first floor extension with associated balconies, a new canopy and alterations to fenestration. The solar panels shown to be provided represent exempt development.

The site is located Outside of the Centres and a Protected Monument is situated to the west of the dwelling, to the north of the access driveway.

Relevant History:

FULL/2018/2273 - Demolish existing conservatory and extend dwelling at ground and first floor levels (east and west elevations), erect single storey flat roof double garage and glazed link to dwelling (south elevation), demolish chimney stacks, and alter fenestrations – granted

FULL/2019/2108 - Install external steps to north-west boundary – granted

FULL/2019/2174 - Erect a garden studio to east of site – granted

FULL/2022/2157 - Install solar panels to flat roofs - granted

Existing Use(s):

01 dwellinghouse

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:

GP6: Protected Monuments
GP7: Archaeological Remains
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:

The extensions and alterations proposed have been designed to reflect the style of the existing dwelling. The first floor extension is to be constructed above an existing garage, separated from main dwelling by a single-storey link. The proposed first floor extension represents efficient and effective use of the land and will offer more flexible and adaptable accommodation that can respond to the needs of occupiers over time. The upper floor will be accessed via an internal staircase off an existing sunlounge and based on the submitted information would not represent an independent unit of residential accommodation.

Whilst there are long distance views of the site the extensions are such that they will not result in a development that is unduly prominent from these long distance view and the extensions will not result in undue harm to the visual amenities of the locality.

The extensions, balconies and alterations to the dwelling are set well away from the site boundaries and away from any residential neighbours. The development will not therefore, result in unacceptable overshadowing or overlooking and loss of privacy to the occupiers of any surrounding dwellings.

The proposed extensions and alterations to Fort Le Crocq are set a substantial distance from the Protected Monument with landscape screening between the house and Monument. The proposals will not result in an unacceptable adverse impact on the setting of the Protected Monument and accords with Policy GP6 of the Island Development Plan

It is noted that pre-historic finds have been found in the vicinity of the site however given the nature of this development, at first floor level, an archaeological watching brief is not considered necessary in this case.

With regard to Policy GP9: Sustainable Development, it has been demonstrated that the proposed development will comply with Building (Guernsey) Regulations 2012 and therefore has taken into account the use of energy, resources and any adverse impact on the environment.

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.

In view of the above it is recommended permission is granted for the proposed development.

Recommendation:

Grant with Conditions



Date: 24/10/2023

