

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: Demolish section of glasshouse/extension, erect single storey extension and raised terrace area to north (rear) elevation, single storey extension, porch and rooflights to south (front) elevation and alterations to fenestration.

LOCATION: Distant Shores, Rue Des Huriaux, St. Saviour.

APPLICANT: Mr & Mrs Browning

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: 01/12/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/10/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Soup Architects - 443 . 100. (1), .110. & .300

Application Ref: FULL/2023/1778

Property Ref: E00692A000

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.Prior to the first use of the first floor as habitable accommodation, the full length window in the west facing elevation shall be fixed (i.e. non-openable) and shall be permanently glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent). The window shall be retained as such in perpetuity.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

Expiry Date: This permission will cease to have effect on 30/11/2026 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/2023/1778
Property Ref: E00692A000
Valid date: 16/10/2023
Location: Distant Shores Rue Des Huriaux St. Saviour Guernsey GY7 9QP
Proposal: Demolish section of glasshouse/extension, erect single storey extension and raised terrace area to north (rear) elevation, single storey extension, porch and rooflights to south (front) elevation and alterations to fenestration.

Applicant: Mr & Mrs Browning

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.

4. Prior to the first use of the first floor as habitable accommodation, the full length window in the west facing elevation shall be fixed (i.e. non-openable) and shall be permanently glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent). The window shall be retained as such in perpetuity.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a detached bungalow situated to the north of Rue Des Huriaux in St Saviour. Within the garden area is a large greenhouse part of which has recently been damaged due to the recent storm.

Surrounding the site, the area comprises residential properties to the north, south and west with an open field to the east. The site is situated Outside of the Centres as designated in the Island Development Plan.

Relevant History:

None

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:

Planning permission is sought to demolish a section of the existing greenhouse/extension and to erect a single storey extension and raised terraced area to the north (rear) elevation and a single storey extension, porch and rooflights to the south (front) elevations. Alterations are also proposed to the existing fenestration.

The alterations proposed are of an appropriate scale, mass and form so as not to detract from the openness of the surrounding area. The design and the materials to be used will be in-keeping with the existing dwelling and will not negatively impact on the character or appearance of the surrounding area.

The side facing window at first floor level serving the bedroom to be created within the loft space will face towards an open field to the east. In the west facing elevation at first floor a full length window is proposed which will be situated circa 6m from the boundary shared with the neighbouring property to the west 'Lar-Kesh'. Although an outbuilding is situated along the boundary which would help to screen views to a degree, given that the application site is situated at a slightly higher level, together with the fact that the window would present a feeling of being overlooked and would have the potential to overlook part of the rear garden area (an area which is currently private), it is considered necessary to ensure that a condition is included on any permission for this window to be obscure glazed.

Views from the raised terrace area and the extension to the rear will be screened to the east by an existing 2 to 3m high boundary wall and will be sufficient distance from the neighbouring property to the west 'Lar-Kesh'. Subject to the recommended condition. the scheme would therefore not cause any undue harm with regard to the loss of privacy and given the separation distances involved would not result in a substantial loss of sunlight, daylight or result in overshadowing to any neighbouring properties.

For the above reasons it is considered that the proposal accords with Policies GP8 and GP13 of the Island Development Plan.

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.

No alterations are proposed to the existing vehicle access and the proposal would not harm car parking provision for the site.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

For the above reasons the application is acceptable in relation to the relevant policies of the IDP and other material planning considerations.

Recommendation:

Grant with Conditions



Date: 01/12/2023