

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 accommodation at first floor level and erect single storey extension to north-west (side) elevation.

LOCATION: Haut Pave, Rue De La Douzaine, Fort George, St. Peter Port.

APPLICANT: Mr S Williams

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: 10/01/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 21/11/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Birch Renovations: 200A, 210A, 211A, 212, 213C, 214D & 215A.

Application Ref: FULL/2023/2147

Property Ref: A41110A033

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.All northeast facing first floor windows shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent) and shall thereafter be retained in perpetuity.

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

5.All northeast facing first floor windows shall only have top hung opening elements or fixed panes and no alterations shall be made to the approved window arrangements.

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 09/01/2027 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/2023/2147
Property Ref: A41110A033
Valid date: 21/11/2023
Location: Haut Pave Rue De La Douzaine Fort George Fort George St.
Peter Port Guernsey GY1 2TA
Proposal: Raise roof ridge height to create accommodation at first floor
level and erect single storey extension to north-west (side)
elevation.
Applicant: Mr S Williams

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.

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OFFICER'S REPORT

Brief Description of the site:

The property known as 'Haut Pave' is a large detached 1970's bungalow which sits on a corner plot, the house is set back at an angle and faces southwest. Rue de la Douzaine runs along the west boundary and Avenue Morley runs along the south boundary. There are other detached neighbouring properties in each direction, varied in design. The property is located Outside of the Centres as defined in the Island Development Plan (IDP).

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

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:

This application is to raise the roof height to create first floor accommodation and erect a single storey extension to the northwest elevation.

Despite there being a fairly substantial boundary treatment of mature planting, planting cannot be relied upon to screen the ability to overlook. There are four new first floor windows facing northeast and the boundary is approximately 5m away, leaving opportunity for overlooking into the neighbouring property's private amenity space. Therefore the application was deferred to allow the agent to change the windows to top hung opening, obscure glazed windows.

The amended drawings show the two bathroom windows and the northeast bedroom window as being obscure glazing which mitigates the concerns of overlooking. Due to the neighbour already having a first floor window the proposed east facing window to the master bedroom should also be obscure glazing. All these windows can be controlled by planning condition. All other first floor windows overlook public spaces, front gardens and driveways as well as the roads, which are not considered to be private amenity spaces. The two bedroom windows to be obscure glazed are also served by other windows therefore the proposed obscure glazing will not undermine the health and well-being of occupiers having regard to outlook and aspect.

The Strategic Land Use Plan identifies multi-storey buildings as constituting a more efficient use of land than single storey buildings, therefore the IDP supports multi-level living.

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

The scale and massing of the proposals are not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will they have any impacts on any 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.

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.

Recommendation:

Grant with Conditions



Date: 09/01/2024

