

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 and alter roof form to create 1st floor accommodation and alterations to ground floor level.

LOCATION: Kassiope, Les Canus, St. Sampson.

APPLICANT: Mr & Mrs C Sarre

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: 15/02/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/12/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design Ltd - 12-520-P2 WD/01, WD/02 & WD/03.

Application Ref: FULL/2023/2483

Property Ref: B01402J000

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 full details of the type, texture and colour of the cladding materials to be used, including finished samples, have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - to avoid any ambiguity and in the interests of visual amenity.

5.Notwithstanding the information submitted and prior to the commencement of works, precise details of the new trees to be planted along the north site boundary (as indicated on the approved site layout plan), including the species, size when planted and spacing of plants, shall be submitted to and agreed in writing by the Authority.

Reason - In the interests of visual amenity, to assimilate the development into its surroundings, and to help limit the effect of overlooking on neighbouring properties.

6.The new trees shall be planted in accordance with the details agreed under the terms of condition 5, in the first planting season following the details being agreed or before the completion of the development, whichever is the sooner. Any trees which die, are removed or become seriously damaged or diseased, within 5 years of planting shall be replaced in the next planting season with trees of a size and species similar to those originally required to be planted, unless the Authority gives written approval to any variation.

Reason - In the interests of visual amenity, assimilate the development into its surroundings, and to help limit the effect of overlooking on neighbouring properties.

Expiry Date: This permission will cease to have effect on 14/02/2027 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/2023/2483
Property Ref: B01402J000
Valid date: 20/12/2023
Location: Kassiopi Les Canus St. Sampson Guernsey GY2 4UJ
Proposal: Raise and alter roof form to create 1st floor accommodation and alterations to ground floor level.

Applicant: Mr & Mrs C Sarre

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.

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Reason - In the interests of visual amenity, assimilate the development into its surroundings, and to help limit the effect of overlooking on neighbouring properties.

OFFICER'S REPORT

Brief Description of the site:

The application site known as 'Kassiopi', comprises a mid- to late-20th century pitched roof bungalow, built sometime between 1963 and 1979, and is located to the south of Les Canus, St. Sampson. The property is located Outside of the Centres as defined in the Island Development Plan.

The property is flanked to the east by a two storey, traditional farmhouse style building that has been extended over the years, comprising a two storey flat roof extension to the rear. Part of the farmhouse appears to be used by 'R G Phillips and Son Ltd'. The former wing of the farmhouse appears to form a residential property, known as 'The Barn', which has also been extended to the rear of the property.

Directly opposite the application site (the north side of Les Canus) lies a series of traditional two storey, pitched roof terrace houses with gables facing towards the road. A mix of different style properties are located on either side of the terrace, and to the south of the road.

Planning permission was granted in 2021 to raise and alter the roof form of the dwelling to create first floor accommodation (FULL/2020/2494). The style and appearance of the first-floor extension changed the form of the pitched roof bungalow to a two-storey flat roof dwelling.

Permission is now sought to reapply for permission as described in FULL/2020/2494 in order to extend the period of time to commence works. It is noted that the proposal remains broadly the same as approved, although certain aspects of the proposal have been omitted including the chimney, garage and the utility/boot room. In addition, a number of internal changes have been made to the layout of the dwelling as part of this application.

Relevant History:

FULL/2020/2494	Raise and alter roof form to create 1st floor accommodation, erect single storey extension to south (rear) elevation, porch to north (front) elevation and alteration to fenestration. Demolish existing garage and alter vehicular access.	Granted
FULL/2014/2146	Demolish existing and erect replacement double garage, erect timber fencing along north and east elevation and install double gates.	Granted
FULL/2013/2521	Erect extension to rear and side of property, install rooflights (north), install doors on 1st floor level and erect roof terrace with glazed balustrade.	Granted

Existing Use(s):

Residential

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

GP8: Design

GP9: Sustainable Development

GP13: Householder development

Conclusion/Brief comment:

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.

The previous application was determined under the Policies of the Island Development Plan. As set out above, the application remains broadly the same as that approved in 2021 and there has been no change in planning policy or the introduction of material circumstances that would warrant a different decision.

Whilst the former chimney stack as part of the previously approved scheme improved the appearance and cohesiveness of the development by providing vertical emphasis and balance to the scheme, its omission, whilst regrettable, would not provide substantial grounds to defer the application or warrant refusal.

Conditions attached to the 2021 permission have been reapplied in this case. Although the exemption rights have changed since that time the appearance of the completed development must still be considered and the condition regarding to external cladding remains applicable.

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.

Recommendation:

Grant with Conditions



Date: 08/02/24