

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 1st floor level, erect single storey extension to north (side) elevation. Demolish section of roadside wall to widen vehicle access (Revised scheme).

LOCATION: Ohana, Northlands Estate, Route Des Landes, Vale.

APPLICANT: Mr & Mrs Allez

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: 22/02/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/01/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: The Drawing Room - 371 D1, D2, D3, D4, D5 & D8

Application Ref: FULL/2024/0109

Property Ref: C01353P000

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.The dormer window in the rear/west roofslope shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent) and shall be thereafter retained at all times.

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 21/02/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Vehicles should be parked so as not to overhang the pedestrian footway. The Police are responsible for enforcing that public footways/highways are not obstructed by inconsiderately parked vehicles.

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/2024/0109
Property Ref: C01353P000
Valid date: 18/01/2024
Location: Ohana Northlands Estate Route Des Landes Route Des Landes
Vale Guernsey GY3 5JH
Proposal: Raise roof ridge height to create accommodation at 1st floor
level, erect single storey extension to north (side) elevation.
Demolish section of roadside wall to widen vehicle access
(Revised scheme).
Applicant: Mr & Mrs Allez

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. The dormer window in the rear/west roofslope shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent) and shall be thereafter retained at all times.

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

INFORMATIVES

Vehicles should be parked so as not to overhang the pedestrian footway. The Police are responsible for enforcing that public footways/highways are not obstructed by inconsiderately parked vehicles.

OFFICER'S REPORT

Site Description:

Brief Description of the site:

Ohana is a detached bungalow situated to the west of Northlands Estate road. An area of off-road parking is provided to the front of the property.

A number of other dwellings in the road benefit from accommodation in the roofspace, often served by dormers. There is no uniform property type, design or height in the street.

The application proposes to raise the ridge height of the property and install pitched roof dormers and a rooflight to the front roofslope and a catslide dormer and two rooflights to the rear in order to provide first floor accommodation, an en-suite bedroom and a further two bedrooms and bathroom. A single-storey extension is proposed to the side/north elevation to provide a garage and utility/boot room.

The infilling of windows/doors to the front and rear of the property would comprise exempt works under the Class 5 Exemptions. Permission is not required to install replacement windows/doors in existing or altered openings under the Class 1 Exemptions. The proposals also incorporate the erection of a porch canopy to the front, flue to the rear of the dwelling and external insulating render. The flue and insulating render represent exempt development and do not require the specific grant of permission.

The scheme also proposes the removal of a section of roadside wall to provide a wider access in order to serve off-road parking at the site. A low return of wall is proposed to enclose the area of lawn adjacent to the south site boundary.

The site is located Outside of the Centres as designated in the Island Development Plan.

Relevant History:

FULL/2023/1842 - Raise roof ridge height and extend and alter at ground floor and first floor levels. Demolish section of roadside wall to widen vehicle access – refused – impact of one and a half storey extension on light and outlook from neighbouring property and lack of outlook for future occupiers.

Existing Use(s):

01 dwellinghouse

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:

Island Development Plan policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

IP7: Private and Communal Car Parking

IP9: Highway Safety and Capacity

Conclusion/Brief comment:

The dwelling is to the south of a neighbouring bungalow which has a low ridge and unusual plot layout. This neighbouring dwelling is situated tight to the common boundary with the application site and the access between the rear of the property and boundary is often overshadowed by the boundary fence and garage at Ohana. There is no other private external space associated with this dwelling. The roof extension to the main dwelling is set sufficient distance from the common boundary and the low height of the single-storey mono-pitch roof extension are such that neither will result in unacceptable overshadowing nor have an overbearing effect on

the south elevation of this neighbouring property in accordance with Policy GP8 of the IDP.

The roof extension, side extension and other alterations to Ohana all represent a good standard of design that reflects the appearance of the existing dwelling and others found in the road and respects the local built environment. The scheme will provide occupiers with more flexible accommodation that can respond to their changing needs over time and offers satisfactory outlook, sunlight and daylight to the accommodation. In terms of the health and well-being of occupiers the scheme accords with Policy GP8 and Annex I.

There is a distance of approximately 10m to the rear site boundary and to the front boundary of properties to the east of Northlands Estate. This revised scheme will not result in unacceptable overlooking or loss of privacy to the occupiers of surrounding dwellings. The dormer window to the rear can be conditioned to be obscure glazed.

The scheme proposes to remove a substantial proportion of the roadside wall in order to facilitate easy access to and from the site for multiple vehicles. Whilst the removal of a large section of the front boundary wall will have some detrimental effect on the character of the area and visual amenity, the degree of this effect is not considered to be significant in this particular case to justify refusal of permission.

The site frontage is approximately 4.5m deep and as illustrated on the drawings it would be necessary for vehicles to be parked at an angle in order to avoid them overhanging the pedestrian footway. The scheme does incorporate an integral garage (c. 5m long x 2.9m wide) which is sufficient in size to serve as an off-road parking space to serve the property. Appendix 2 of the Traffic Engineering guidelines for Guernsey, Road Hierarchy sets out that car parking spaces should be a minimum of 5m long although generally spaces are expected to be 4.8m long x 2.4m wide. The Guidelines do not have the status of policy but, for the purposes of planning should be regarded as being Supplementary Planning Guidance.

The proposed parking layout to the front of the property falls short of the guidelines in the Traffic Engineering document in terms of the minimum depth. It is also noted that garages are rarely used for their intended purpose but rather for storage and that they do not, when assessing proposals for a new dwelling, form a parking space when considering maximum parking standards set out in the adopted SPG. Nonetheless, this site is located in an area where maximum parking standards do not apply. Although the area would be suitable for small cars, which range from 2.34m to 3.7m there is no way this could be controlled by a planning condition. The drawings do show that vehicles would be parked at an angle on the property in order to avoid them overhanging the pedestrian footway and on balance, this aspect of the proposal is considered satisfactory.

To impose a condition limiting the number of vehicles that can be parked within the curtilage of this property would be unreasonable and conditioning the angle at which vehicles park would be unenforceable. Vehicles are demonstrated, on plan, to be

accommodated without overhanging the highway and any obstruction of the highway would ultimately be a matter for the Police.

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.

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

Recommendation:

Grant with Conditions



Date: 20/02/2024