

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: Variations to previously approved plans (FULL/2023/1200) to erect 2 dwellings to north of site. Demolish extension, erect single storey extension, dormer window to north (rear) elevation, install external insulating render and alterations to fenestration to 2 Clovelly Villas - Erect single storey extension to rear of unit C, erect single storey extension, dormer window to rear and alterations to fenestration to units A and B.

LOCATION: 2 Clovelly Villas, La Rue Maze, St. Martin.

APPLICANT: Mr H Gorcan

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: 03/05/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/03/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design Ltd - 23-1464 WD/01D, WD/02A, WD/03B, WD/05A & WD/06A.

Application Ref: FULL/2024/0417

Property Ref: J001960000

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 on or before the 10/10/2026.

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. Notwithstanding the details shown on the approved plans, the glazing to the rear dormer hereby permitted to Unit B shall be a obscure glazed to a minimum of Level 3 obscurity on the Pilkington scale (or equivalent) and fixed shut below 1.7m above first floor level. The windows shall thereafter be so retained and maintained.

Reason - In the interests of residential and neighbouring amenity.

5. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 11/10/2023, issued under planning application reference FULL/2023/1200, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

Expiry Date: This permission will cease to have effect on 10/10/2026 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/2024/0417
Property Ref: J001960000
Valid date: 11/03/2024
Location: 2 Clovelly Villas La Rue Maze St. Martin Guernsey GY4 6LW
Proposal: Variations to previously approved plans (FULL/2023/1200) to erect 2 dwellings to north of site. Demolish extension, erect single storey extension, dormer window to north (rear) elevation, install external insulating render and alterations to fenestration to 2 Clovelly Villas - Erect single storey extension to rear of unit C, erect single storey extension, dormer window to rear and alterations to fenestration to units A and B.

Applicant: Mr H Gorcan

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 on or before the 10/10/2026.

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. Notwithstanding the details shown on the approved plans, the glazing to the rear dormer hereby permitted to Unit B shall be a obscure glazed to a minimum of Level 3 obscurity on the Pilkington scale (or equivalent) and fixed shut below 1.7m above first floor level. The windows shall thereafter be so retained and maintained.

Reason - In the interests of residential and neighbouring amenity.

5. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 11/10/2023, issued under planning application reference FULL/2023/1200, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

OFFICER'S REPORT

Brief Description of the site:

The site is located to the north side of La Rue Maze, within the St Martin's Local Centre Boundary as defined by the Island Development Plan. The existing dwelling is a semi-detached villa which is elevated above the road due to changes in land levels which results in an increase by approx. 1m up from the road frontage. Land levels continue to rise gently to the rear of the site.

To the west side of the dwelling there is an extant permission for the demolition of the existing outbuildings and erection of 2 dwellings with associated landscaping and parking (FULL/2021/2413).

The previously approved dwellings to the rear of the site (approved under FULL/2023/1200) have been partially built and construction works to the site are ongoing.

Relevant History:

FULL/2023/1200 – Erect 2 dwellings to north of site with associated works, create vehicle access. Demolish extension, erect single storey extension, dormer window to north (rear) elevation, install external insulating render and alterations to fenestration to 2 Clovelly Villas. (Approved)

FULL/2023/2238 – Demolish bunker structure and alter ground levels to north (rear) of unit B. (Approved)

Existing Use(s):

01 Dwelling houses

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;

Conclusion/Brief comment:

The original application approved the subdivision of the plot and erection of two new dwellings (Units A and B) to the rear of the existing dwelling (Unit C).

This application for revisions introduces the following:

Unit A and B

- single storey rear extension for each unit,
- Alterations to ground floor fenestration/door
- New rear dormer to replace previously approved rooflights

Unit C

- Increased size of single storey rear extension and amendments to fenestration
- New ground floor west elevation window

The proposed rear extensions provide additional living accommodation whilst retaining an adequate amenity space for all dwellings. The single storey design and alterations to ground floor windows/doors are unlikely to have a significant impact on the amenity of neighbours.

The installation of velux windows to the rear of units A and B in the original application was considered to be acceptable only with a condition to ensure they were obscure glazed or high level. The replacement of these with clear glazed dormer windows for Unit A is acceptable given the distance, offset from the neighbours garden and oblique angle of any views. However, allowing clear glazed dormers to the rear of Unit B is considered likely to allow significant and harmful overlooking due to the proximity to the boundary, and the agent has confirmed that a condition to obscure glaze the rear facing dormer of Unit B is acceptable. This ensures compliance with Policies GP8 and GP9.

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: 01/05/2024