

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: Install two dormer windows to north (front) elevation.

LOCATION: North View, La Route De L'Islet, St. Sampson.

APPLICANT: Mrs S Morvan

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: 23/05/2024

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: g2a Architecture - 2851-01 B1a

Application Ref: FULL/2024/0470

Property Ref: B017070000

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.

Expiry Date: This permission will cease to have effect on 23/05/2027 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/2024/0470
Property Ref: B017070000
Valid date: 11/03/2024
Location: North View La Route De L'Islet St. Sampson Guernsey GY2
4RP
Proposal: Install two dormer windows to north (front) elevation.
Applicant: Mrs S Morvan

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.

OFFICER'S REPORT

Site Description:

The property known as 'North View' is a two storey pre-1900's dwelling which is set back from and faces north onto the access track south of La Route de L'Islet. There are neighbouring properties to the east and west and to the northeast across the road, with a long rear garden to the south. The property is located in the L'Islet Local Centre as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

This application was initially to install two dormer windows with balconies on the north facing roof slope of the front elevation of the property. The application was deferred to omit the balconies.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Representations:

There has been one letter of representation and the issues are:

- There are concerns about the loss of privacy, possible noise and light pollution. The proposed balconies would lead to an erosion of the neighbours amenity and the enjoyment of their property by having an overbearing.
- A balcony in the proposed attic bathroom would give visual intrusion through the neighbours bedroom rooflight. When stood on the proposed balcony a person will be able to look directly down through the rooflight.
- The balconies would also give an uninterrupted view over the front neighbours properties as they will look down into the back of the two houses.
- The submitted plans miss out a vital key ingredient. This is the proximity of Northview to the neighbour, La Maisonette. At closest the houses are circa

2.50m apart and the proposed bathroom dormer is circa 5.50m from the neighbours rooflight in the horizontal plane. The proposed bathroom balcony is circa 2.00m (FFL to FFL) vertically above.

- There are also no indication of the difference in heights between the two buildings on the drawings.
- Visually the current design will make Northview look top heavy and the dormers are not in proportion with the rest of the house. The bedroom dormer looks bigger than the side garage. The height of the proposed glazed balustrade looks like it is 1100mm at the front and sides. The height of the glazed sides (cheeks) should be increased to that of 2.00m and the glass should be frosted.

Consultations:

None

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

The scheme showed a 1.4m wide dormer on the east side of the roof slope and a 1m wide dormer on the west side of the roof slope which made the property uneven and very top heavy. Plus the west side balcony would have allowed anyone on the balcony to be able to look into the neighbours rooflight to the west, which is their bedroom.

The application was deferred to allow for some changes, the balconies have been omitted and the dormers are now the same size, which is a huge improvement. The property still looks a little top heavy, but the proportions are better, and quite a few of the nearby houses have large second floor windows. The properties are set a little lower than the road and it is only the top floors of the dwellings which afford a sea view, which is why they are taking the advantage of larger windows.

With the balconies removed the angle between the dormer and the neighbours roof light is considered oblique enough not to warrant the use of obscure glazing on the bathroom window.

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

The scale and massing of the new dormers are not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it have any impact on either 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.

3 - General material considerations set out in the General Provisions Ordinance.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 22/05/2024

