

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: Demolish outbuilding and porch, raise and alter roof ridge height, extend and alter at ground floor and 1st floor level including terrace at 1st floor level to rear.

LOCATION: Maison De Coco, Rue De La Ronde Cheminee, Castel.

APPLICANT: Mr O Newey & Ms L Hart

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: 11/07/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/05/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture - 2362 02.01A, 02.02, 02.03 & 02.04

Application Ref: FULL/2024/0920

Property Ref: D01853A000

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 11/07/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the erection of an extension to be used as an integral part of and incidental to the principal dwelling presently known as Maison de Coco. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

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/2024/0920
Property Ref: D01853A000
Valid date: 22/05/2024
Location: Maison De Coco Rue De La Ronde Cheminee Castel Guernsey
GY5 7GF
Proposal: Demolish outbuilding and porch, raise and alter roof ridge
height, extend and alter at ground floor and 1st floor level
including terrace at 1st floor level to rear.
Applicant: Mr O Newey & Ms L Hart

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.

INFORMATIVES

For the avoidance of doubt, this decision permits the erection of an extension to be used as an integral part of and incidental to the principal dwelling presently known as Maison de Coco. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested to demolish outbuilding and porch and to extend and alter the dwelling including raise roof ridge height by 1.5 metres, erect extensions at ground and 1st floor levels to the side (east) and rear (north) elevations and create a terrace at 1st floor level to the rear. The extended dwelling would be finished in a mix of rendered, zinc and Millboard clad walls, a natural slate roof and aluminium fenestration.

The site comprises of a detached dwelling forming part of a ribbon development of residential properties to the north of Rue de La Ronde Cheminee. The site is Outside of the Centres and is bounded by an Area of Biodiversity Importance to the east.

Relevant History:

None

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:

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP13: Householder Development

Conclusion/Brief comment:

Properties within the area are of a mixed size and design. The proposal would result in a substantial increase to the scale, mass and ridge height of the dwelling. The site is prominent in views along the highway, particularly from the east, and the extended dwelling would have a greater impact on public views. However, the existing dwelling is smaller than some existing neighbouring properties, such as those to the west, and the overall scale and ridge height of the extended dwelling would not be dissimilar to neighbouring properties. In addition, it is noted that Policy GP8 supports developments of a multi-storey design as a more efficient use of land.

Whilst the proposal will introduce new design features and materials, the majority of the proposal will achieve a good standard of design. The east gable incorporating a flat roof extension extending to the rear and its relationship with the pitched roof element to the front does not achieve a high standard of design and the east gable will be visible along the highway. However, the property is not located within a Conservation Area or other sensitive area and Policy GP8 provides support for personal choice in design matters in such circumstances. On balance, the design of the east gable would not cause sufficient harm to the appearance of the surroundings and the character and amenity of the locality to outweigh the support and flexibility for extensions and alterations to existing residential buildings as set out in Policy GP13. As a result, the proposal does not conflict with Policies GP8 and GP13.

The extended dwelling is set back from the west boundary which will limit the impact of the proposed increase in height and mass on neighbouring properties. The siting and height of the rear pitched roof extension along the west elevation will limit views from the rear 1st floor terrace towards the neighbour to the west and together with the distance to the boundary and angle of view from the terrace, the 1st floor terrace is unlikely to result in a significant loss of privacy for the neighbouring property to the west. The dwelling is bounded to the east by undeveloped/agricultural land and the distance to the closest residential property to the east is sufficient to prevent any significant loss of privacy.

The proposal includes the creation of a dower unit at ground floor level. Whilst the inclusion of a separate utility room within the dower unit is unusual, the dower unit includes no separate external access to the front or side and the relationship of the occupiers of the dower unit and the layout of the dwelling indicates that the dower unit would be ancillary, well-related and integrated into the main dwelling. The proposed dower unit accords with Policy GP13.

Information has been submitted to demonstrate that the design has taken into account the use of energy and resources, in accordance with Policy 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.

It is recommended that the application is approved.

Recommendation:

Grant with Conditions



Date: 11/07/2024

