

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 to create accommodation at first floor level with terrace to east (side) elevation and erect porch to south (front) elevation. Remove hedge and erect fence to east boundary and widen vehicle access (part retrospective).

LOCATION: Le Paradis, Longtrac, St. Martin.

APPLICANT: Mr H Jordan

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: 01/08/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/06/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd: 5667-02 B1, B2A, B3 & B4A

Application Ref: FULL/2024/0958

Property Ref: J00985D000

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 1.7m high frosted glass balustrade to the east elevation of the first floor terrace shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be 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 01/08/2027 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/2024/0958
Property Ref: J00985D000
Valid date: 20/06/2024
Location: Le Paradis Longtrac St. Martin Guernsey GY4 6QY
Proposal: Raise and alter roof to create accommodation at first floor level with terrace to east (side) elevation and erect porch to south (front) elevation. Remove hedge and erect fence to east boundary and widen vehicle access (part retrospective).

Applicant: Mr H Jordan

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.

4. The 1.7m high frosted glass balustrade to the east elevation of the first floor terrace shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times.

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

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested to raise and alter the roof to create a two storey flat roof dwelling with accommodation at first floor level, a 1st floor terrace to the side (east) above the existing garage and erect a porch to the south (front) elevation. Retrospective planning permission is also requested to remove a section of hedge along the east boundary and erect a replacement 1.6m high fence and to widen the vehicle access to 4.85m.

The site comprises of a detached hipped roof bungalow with single storey flat roof extensions to the side (east) and rear (north). The site forms part of a ribbon development of residential properties to the north of Longtrac. The site is located Outside of the Centres.

Relevant History:

Oct 2023 – Feb 2024 – Pre-application advice regarding extension and alterations.

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:

GP1: Landscape Character and Open Land
GP8: Design
GP9: Sustainable Development

GP13: Householder Development
IP9: Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

The alterations to the roof and the extension of the dwelling at first floor level would result in an increase to the scale and mass of the dwelling. However, its scale and height would be comparable to neighbouring properties and Policy GP8 encourages multi-storey designs as a more efficient use of land.

The front elevation lacks some coherence due to the mixed roof styles and the design and pattern of fenestration, and the visibility of the high screens around the terrace from the public highway is unfortunate. However, the design of the dwelling includes some high quality elements, such as the use of timber cladding and hidden gutters. Whilst the proposal will introduce a contemporary two storey design which differs to its immediate neighbours, there is a mix of style of properties within the wider area including larger two storey dwellings and a contemporary two storey flat roof dwelling. The property is not located within a Conservation Area or other sensitive area, as set out in the preceding explanation to Policy GP8, and Policy GP8 provides support for personal choice in design matters in such circumstances. Overall the extended dwelling would not detract from the openness of the area and would not have a significant adverse effect on the character of the local built environment, in accordance with Policies GP1, GP8 and GP13.

The replacement of a section of the east boundary hedge with a fence stepped back from the highway would have no adverse effects on the character and visual amenity of the area. A substantial length of roadside boundary would remain and the proposed widening of the access would have no significant effects on the sense of enclosure along the street. Considering the narrow width of the lane, the proposed width of the access is reasonable. The design of the access respects the character and appearance of the area, in accordance with Policies IP9, GP1 and GP8.

Due to its siting towards the front (south) of the building, its relationship with the neighbouring property to the east and the use of a high screen to a section of the side (east) elevation and a high wall to the rear (north) elevation, the first floor terrace is unlikely to result in a material adverse effect on the amenities of neighbouring residents.

The west elevation includes a bedroom window towards the front of the site which would overlook the neighbour's driveway and two windows towards the rear of the site which would have high sill levels to prevent overlooking. Overall it is clear that the design and positioning of fenestration has taken into account the privacy of neighbouring properties and the proposal is unlikely to have a material adverse effect on the amenities of neighbouring residents.

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: 01/08/2024