

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 extensions, raise and alter roof ridge height to create accommodation at 1st floor level, extend and alter at ground floor level. Install swimming pool, erect summerhouse and shed and relocate oil tank. Infill existing access to west boundary and widen vehicle access to south-west boundary.

LOCATION: Akaroa, Rue Des Corneilles, Castel.

APPLICANT: Mr & Mrs Mitchinson

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: 09/09/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/07/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Arch+ - 192-3-300A, 301A, 302, 303, 304, 305, 306, 307, 308A, 309 & 311.

Application Ref: FULL/2024/1079

Property Ref: D01295C000

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. Within four weeks of the new access being enlarged, the existing northern most access shall be closed permanently and the existing boundary wall extended to close the access. The new wall shall be constructed using materials and a method of construction which match the remainder of the front roadside boundary wall.

Reason - To minimise the number of points of access, in the interests of highway safety and visual amenity.

5. The new hard surfacing hereby approved within the front garden shall not be constructed until full details of that surfacing and its permeability, including a written specification for its laying, have been submitted to and agreed in writing by the Authority. Thereafter the permeable hard surfacing shall be laid in accordance with the approved details.

Reason - To prevent surface water issues and in accordance with Policy GP9.

Expiry Date: This permission will cease to have effect on 09/09/2027 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/2024/1079
Property Ref: D01295C000
Valid date: 04/07/2024
Location: Akaroa Rue Des Corneilles Castel Guernsey GY5 7PP
Proposal: Demolish extensions, raise and alter roof ridge height to create accommodation at 1st floor level, extend and alter at ground floor level. Install swimming pool, erect summerhouse and shed and relocate oil tank. Infill existing access to west boundary and widen vehicle access to south-west boundary.
Applicant: Mr & Mrs Mitchinson

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. Within four weeks of the new access being enlarged, the existing northern most access shall be closed permanently and the existing boundary wall extended to close the access. The new wall shall be constructed using materials and a method of construction which match the remainder of the front roadside boundary wall.

Reason - To minimise the number of points of access, in the interests of highway safety and visual amenity.

5. The new hard surfacing hereby approved within the front garden shall not be constructed until full details of that surfacing and its permeability, including a written specification for its laying, have been submitted to and agreed in writing by the Authority. Thereafter the permeable hard surfacing shall be laid in accordance with the approved details.

Reason - To prevent surface water issues and in accordance with Policy GP9.

OFFICER'S REPORT

Brief Description of the site:

The site is occupied by an existing bungalow, located in a corner plot at the junction of Rue des Corneilles and Ruelle des Cherfs. The site is relatively flat with dense tree/hedging to the rear.

There is extant permission to raise and alter the roof height to create accommodation at first floor, along with extensions to the rear and other alterations.

This application was deferred in order to remove the proposed plant room/pump house and equipment, following concerns raised by Environmental Health.

Relevant History:

FULL/2023/1386 – Raise ridge to create accommodation at first floor, erect single storey extension to east (Rear) elevation, install external insulating render and alterations to fenestration. Replace hedge and planter to front of property.

Existing Use(s):

01 Dwellinghouse

Assessment: *(Tick as appropriate)*

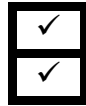
no representation
accords with policy

✓
✓

visual amenity acceptable
no material neighbour impact

✓
✓

within curtilage
design acceptable



traffic not affected



Consultations:

The Office for Environmental Health and Pollution Regulation raised concern regarding the potential for the plant and pool equipment to result in disturbance to neighbours due to the proximity of the structure to neighbouring residential properties. Additional information was therefore requested including the specification of the proposed units,

Representations:

None received.

Policies considered most relevant:

GP1 – Landscape Character
GP13- Householder Development
GP8 – Design
GP9 – Sustainable Development

Conclusion/Brief comment:

The application proposes a revised scheme to the earlier approval, for demolition of the existing rear extensions and replacing them with a single storey flat roof rear extension. The main roof is to be raised to introduce first floor accommodation, but with a fully hipped roof design. The application also includes the installation of a swimming pool, erection of a summerhouse and shed, and relocation of an oil tank. The existing access to the west boundary is to be closed and the south-western access widened by approx. 1.5m.

The introduction of first floor accommodation is supported by the IDP as it makes the most effective and efficient use of land. The hipped roof ensures that, on balance, there is no significant harm to neighbours in terms of the visual/physical impact, overshadowing or loss of light, given the proximity of the neighbour's conservatory to the north. The height of the proposed roof is 7.8m to the ridge, which is approx. 0.5m higher than the approved design, but with a greater hip away from the neighbours, it is not considered sufficiently different from or more harmful to neighbours than that already approved.

There are no first-floor windows adjacent to the boundary with the neighbour to the north, the rear windows closest to the neighbour's boundary are unlikely to have a negative impact on amenity as they would offer views towards the neighbours at a very oblique angle only.

It is not considered necessary to require a privacy screen to the northern edge of the proposed balcony area, as it is set a sufficient distance from the boundary that no significant harm to neighbour amenity is anticipated. The proposed balcony will not have a significant impact on any other neighbours due to the position on the corner with no neighbour to the south, and a distance of at least 28m between the new first floor rear balcony and neighbour to the east (rear) along with an intervening significant mature hedge boundary.

The alterations to the front boundary are acceptable, closing the northern access by extending the low dry-stone wall and planting behind. This will be secured by condition.

The widening of the existing south-western access by 1.5 creates a fairly wide (6.5m) access, but its position on the corner of the site ensures it is relatively discreet and the benefit gained by removing the additional access balances against the increased width.

The front garden slopes steeply down towards the house, and it is necessary to ensure that the paving used is permeable to prevent any issues with surface water drainage and comply with Policy GP9.

The new location of the oil tank, swimming pool, garden shed and summerhouse are considered acceptable and the scale and location ensures there is no visual harm or impact on neighbours.

The proposed pump/plant equipment has been removed from the application, and for this reason, no further advice was sought from Environmental Health.

In summary, the application is considered to accord with all relevant policies of the IDP and approval is recommended, subject to relevant conditions.

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: 09/09/2024

