

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: Variation to previously approved plans to raise roof ridge height, install rooflights to south (front) and north (rear) elevations to create accommodation at 1st floor level - install dormer window to north (rear) elevation.

LOCATION: Vakkaru, La Route Des Cornus, St. Martin.

APPLICANT: Mr & Mrs T Walters

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: 02/09/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/08/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Viage - 22005-004B, 005C

Application Ref: FULL/2024/1262

Property Ref: J00207C000

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 06/11/2025.

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 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 07/11/2022, issued under planning application reference FULL/2022/1921, and subject to the terms and conditions thereof.

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

5. The bathroom and en-suite windows in the north elevation of the dormer hereby approved shall be glazed with obscure glass to a minimum 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 06/11/2025 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/2024/1262
Property Ref: J00207C000
Valid date: 08/08/2024
Location: Vakkaru La Route Des Cornus St. Martin Guernsey GY4 6PU
Proposal: Variation to previously approved plans to raise roof ridge height, install rooflights to south (front) and north (rear) elevations to create accommodation at 1st floor level - install dormer window to north (rear) elevation.

Applicant: Mr & Mrs T Walters

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 06/11/2025.

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 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 07/11/2022, issued under planning application reference FULL/2022/1921, and subject to the terms and conditions thereof.

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

5. The bathroom and en-suite windows in the north elevation of the dormer hereby approved shall be glazed with obscure glass to a minimum 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:

Vakkaru, La Route Des Cornus is a detached bungalow set back from and elevated above road level. A flat roof garage exists to the side/east of the dwelling. At the time of this application the roof had been removed and a scaffold cover had been erected over the property.

Planning permission has been granted to install rooflights to the front and rear roofslopes with associated works to raise the height of the ridge in connection with the use of the roofspace as additional habitable accommodation. This variation application seeks permission to install a flat roof dormer in the rear/northern roofslope of the dwelling. The first floor accommodation as proposed would relate to three bedrooms and two bathrooms (one ensuite). With two bathroom windows and the bedroom/study window being served by the rear facing dormer.

The site is located Outside of the Centres as designated in the Island Development Plan.

Relevant History:

FULL/2022/1921 – raise roof ridge height, install rooflights to south (front) and north (rear) elevation to create accommodation at 1st floor level – granted

Pre-application advice was sought in this case.

Existing Use(s):

01 dwellinghouse

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

Island Development Plan policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

The proposed dormer is set down from the ridge and away from the edges of the roof and is considered to represent a good standard of design that respects the local built environment. The proposed works will offer more flexible and adaptable accommodation and makes more efficient use of the site by introducing multi-storey accommodation. The scheme offers adequate sunlight, daylight and outlook from the proposed accommodation having regard to the health and well-being of occupiers.

The position of the dormer in relation to neighbouring properties will not result in overshadowing or loss of light. Rooflights have previously been granted permission, introducing first floor accommodation where none currently exists and the proposed first floor windows now proposed will not result in undue harm to residential amenity in terms of overlooking or loss of privacy given that it would be reasonable to require the bathroom windows to be obscure glazed and the proposed bedroom/study window would offer distant views of the wrap around garden of the neighbouring property with very oblique views to the east of the garden area situated closer to the neighbouring house. To the west is a driveway and the bedroom window would not, therefore, result in unacceptable harm to the amenities of occupiers to the west.

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.

In view of the above it is recommended that permission is granted.

Recommendation:

Grant with Conditions



Date: 02/09/2024

