

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 roof height by 1.3m to create 2nd floor accommodation, re-roof conservatory and porch and add solar panels to south roof-slope.

LOCATION: Belle Vue, La Bouvee Lane, St. Martin.

APPLICANT: Mr C Murphy

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: 29/08/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 01/08/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Soup Architects - 472_100 & 200

Application Ref: FULL/2024/1293

Property Ref: J016330000

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. Notwithstanding the position of the rooflights shown on Drawing No 472_100, the rooflights hereby approved to the north elevation shall have a minimum cill height of 1.7m above finished second floor level.

Reason - For the avoidance of doubt and in the interests of neighbour amenity.

Expiry Date: This permission will cease to have effect on 29/08/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this permission confers no consent for any change of use of the dwelling, which remains within Residential Use Class 1 of the Land Planning and Development (Use Classes) Ordinance, 2017.

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/2024/1293
Property Ref: J016330000
Valid date: 01/08/2024
Location: Belle Vue La Bouvee Lane St. Martin Guernsey GY4 6BQ
Proposal: Raise roof height by 1.3m to create 2nd floor accommodation, re-roof conservatory and porch and add solar panels to south roof-slope.

Applicant: Mr C Murphy

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. Notwithstanding the position of the rooflights shown on Drawing No 472_100, the rooflights hereby approved to the north elevation shall have a minimum cill height of 1.7m above finished second floor level.

Reason - For the avoidance of doubt and in the interests of neighbour amenity.

INFORMATIVES

For the avoidance of doubt, this permission confers no consent for any change of use of the dwelling, which remains within Residential Use Class 1 of the Land Planning and Development (Use Classes) Ordinance, 2017.

OFFICER'S REPORT

Brief Description:

The application site is located to the south-east of La Bouvee and is set back from that road. The site boundaries are formed by high walls/fencing and/or established vegetation. The site is bounded by a residential property, at a slightly lower level, to the north and, at a higher level, to the east. Further residential property is located across the road to the north-east. A field, located at a higher level to the south of the site, separates the site from Route de Jerbourg. The boundaries of the field are formed by established vegetation. Due to the topography of the area and the established vegetation, the site is not visible from Route du Jerbourg and is only seen from a short section of La Bouvee, immediately outside the site and from the north.

The site is located Outside of the Centres as designated in the Island Development Plan. The adjacent residential property to the north, together with the wall along the front of that property and extending partially across the front of the application site, is protected.

The application proposes to add an additional storey to the building, through an increase to the roof height and alteration in the roof design, and to extend the roof over the existing rear extension. New fenestration would be incorporated at second floor level to each gable, and rooflights to each roofslope. Existing first floor windows are to be altered and the conservatory roof would be replaced and extended along the side of the building to form an open porch.

Removal of the chimney, installation of external insulation and, if undertaken, the installation of solar panels on the completed roof, would comprise exempt development not requiring planning permission.

Relevant History:

Pre-application advice regarding extension and alteration of building.

Existing Use(s):

Residential Use Class 1

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:

GP5: Protected Buildings

GP8: Design

GP9: Sustainable development

GP13: Householder development

Conclusion/Brief comment:

The existing dwelling is set back from the roadside, against rising land, and the increase in the height and alterations to the appearance of the building resulting from the proposed development would not have any adverse impact on the character of the area.

Whilst situated close to the boundary with the protected building to the north, the dwelling at the application site is set back from that dwelling and read as a distinct and later building. The proposed alterations would not have any adverse impact on the setting of the adjacent protected building.

The relationship of the dwelling at the application site to adjacent residential property, taking into account the relative positions, levels and substantial boundary treatments, together with the high cill level proposed for the rooflights within the Design Statement and shown on the elevations and sections, would prevent any adverse impacts on the amenities of those adjacent properties. It is however noted that the floor plans on Drawing No 472_100 appear to show the rooflights at a lower level and this should be controlled by condition.

Confirmation has been received that the proposed development has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

Whilst the use of all of the rooms is not specified, no change of use is proposed and this is not of significance in this case, provided the use of the building remains within Residential Use Class 1.

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.

Recommendation:

Grant with Conditions



Date: 29/08/2024