

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 extension, erect two-storey extension to north-west (rear) elevation and alterations to fenestration. Alter roadside wall, vehicle access and infill pedestrian access. (Revised scheme).

LOCATION: Les Rocques, Rue Du Planel, Torteval.

APPLICANT: Mr & Mrs S Brehaut

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: 28/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/09/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design Ltd: 23-1526/PD/01B, /02C & /03C.

Application Ref: FULL/2024/1563

Property Ref: G00220B000

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 window in the east facing elevation serving a bedroom shall be fixed (i.e. non opening) and 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.

5. The vertical timber slats to be installed on the exterior of the window in the north facing elevation serving a bedroom (as shown on drawing PD/02 C) shall be installed within 28 days of the bedroom becoming first used, and shall thereafter be retained at all times.

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

6. The cladding hereby approved shall be comprised of natural timber cladding.

Reason - to respect the traditional character and appearance of the main dwelling to achieve a good standard of design.

7. The existing pedestrian opening shall be infilled using natural granite to match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone, in accordance with the approved details on drawing nos. PD/03 C.

Reason - in the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 28/10/2027 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/2024/1563
Property Ref: G00220B000
Valid date: 18/09/2024
Location: Les Rocques Rue Du Planel Torteval Guernsey
Proposal: Demolish extension, erect two-storey extension to north-west (rear) elevation and alterations to fenestration. Alter roadside wall, vehicle access and infill pedestrian access. (Revised scheme).
Applicant: Mr & Mrs S Brehaut

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 window in the east facing elevation serving a bedroom shall be fixed (i.e. non opening) and 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.

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

6. The cladding hereby approved shall be comprised of natural timber cladding.

Reason - to respect the traditional character and appearance of the main dwelling to achieve a good standard of design.

7. The existing pedestrian opening shall be infilled using natural granite to match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone, in accordance with the approved details on drawing nos. PD/03 C.

Reason - in the interests of visual amenity.

OFFICER'S REPORT

Brief Description of the site:

The application site known as Les Rocques consists of a traditional, two storey, 4 bay granite farmhouse which forms the corner between Rue Du Planel and Rue De L'Eglise. The property is accessed by a pedestrian and vehicle access to the front (south) of the site and is served by a garage to the east of the plot.

The property has undergone various extensions and alterations over the years, including a ground and first floor pitched roof extension and a roof terrace to the rear of the property. The front of the property has retained its original character and has an attractive façade which is highly visible in the street scene.

The property is bounded by neighbouring properties to the north and east of the site which comprise a mix of building types and styles, including a circa 1960s bungalow (Samen) to the north, and a post 2000 bungalow (La Petite Grange) to the east.

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

Planning permission was refused earlier this year (2024) to demolish an extension and erect a two-storey flat roof extension, and extend roof terrace at first floor level to north-west (rear) elevation. To the front (south-east), the application included a single storey flat roof porch, together with alterations to the fenestration, roadside wall, vehicle access as well as infilling a pedestrian access. The reasons for refusal are set out below:

- 1. The proposed rear extension is inappropriately designed by virtue of its mass and bulk which is overbearing and disproportionate to the size and proportion of the existing traditional farmhouse building. The lack of cohesion between the design of the traditional farmhouse, existing traditional pitched roof extension, and the proposed contemporary two-storey flat roof extension to the rear and flat roof extension/porch to the front results in a discordant mix of architectural styles and adaptations which does not provide a sense of cohesion or rhythm when 'read' as a whole. As such the introduction of extensions of the size and design proposed would be at odds with the surrounding built environment and would be detrimental to the character and appearance of the surrounding area. The proposals therefore do not represent 'good' design for the purposes of Policy GP8.*
- 2. The position and size of first floor windows along the east elevation of the proposed first floor extension and distance to the neighbouring property's external amenity space would give rise to neighbour amenity issues as a result of overlooking.*

Planning permission is now sought for a similar proposal to the one refused (to demolish an extension and erect a two-storey flat roof extension, and extend roof terrace at first floor level to north-west (rear) elevation, single storey flat roof porch etc), although the detailing of the proposal has been altered to take into account the reasons for refusal.

The application was deferred over the design of the proposed porch to the front. The agent has submitted revised plans and has omitted the porch from the application.

Relevant History:

FULL/2024/0828	Demolish extension, erect two storey extension and extend roof terrace at first floor level to north-west (rear) elevation, erect porch to south-east (front) elevation and alterations to fenestration. Alter roadside wall, vehicle access and infill pedestrian access.	Refused
FULL/2012/1062	Variations to works previously approved to erect ground and first floor extension to rear, install roof terrace with balustrading and external staircase to first floor level. Install three rooflights to front (south) elevation and install oil tank	Refused

	to side (east) - alter balustrading from black metal to clear glass panels.	
FULL/2012/0120	Variations to works previously approved, erect ground and first floor extension to rear, install roof terrace with balustrading and external staircase to first floor level. Install three rooflights to front (south) elevation and install oil tank to side (east) - install window to ground floor extension (West elevation) and remove existing parapet walls either side of existing roof.	Granted
FULL/2011/2453	Erect ground and first floor extension to rear, install roof terrace with balustrading and external staircase to first floor level. Install three rooflights to front (south) elevation and install oil tank to side (east).	Granted

Existing Use(s):

Residential

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:

GP8 Design
 GP9 Sustainable Development
 GP13 Householder Development

Conclusion/Brief comment:

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 light of the amendments secured, there will be no alterations to the front of the building, therefore its original character and appearance will remain. The alterations to the front of the site, including the widening of the vehicular access and infilling of the pedestrian access, and extended parking area (exempt) will have a negligible effect on the character and appearance of the surrounding area.

As set out in the officer's report as part of FULL/2024/0828, the demolition of the structures as proposed is supported under Policy, provided the replacement structure(s) adopt a good standard of architectural design that is appropriate to the

host dwelling and the character and appearance of the surrounding built environment, and carefully considers the impact on neighbour amenity. This could take the form of a contemporary or traditional extension as supported under Policy GP8, although the detailing of such scheme is important when given the sensitivity of the main house due to its age and visibility in the street scene.

Some reservations remain over the effect of the mix of architectural styles with inclusion of a contemporary two-storey flat roof extension. However, the proposed extension is set to the rear of the dwelling and is not likely to be highly visible in the street scene when considering that the extension will be 'set in' from the east gable end of the farmhouse which will reduce its prominence, and will only be glimpsed in public views from the west due to a large granite boundary wall. Consequently, the mix of architectural styles is not sufficient to cause unacceptable harm to the surrounding built environment to justify refusal when taking into account the flexibility of Policies GP8 and GP13.

Moreover, the detailed design of the extension has been improved which takes into account the vertical alignment of windows between the ground floor and first floor as well as setting in the extension to make it more subservient to the main house, and creating a parapet wall at first floor level on the east elevation of the extension rather than a 'chunky' fascia board as shown on the north elevation. The use of darker materials on the exterior at first floor level will also help to reduce the 'visual' mass of the extension, thus reducing its mass and bulk in the street scene.

The second point of the refusal has also been mitigated as a result of incorporating a fixed window with obscure glass.

Appropriate conditions should be applied with regards to the obscure glazing and proposed timber slats to minimise the effect on neighbour amenity, together with the materials and construction method for the infilling of the pedestrian access, and natural timber cladding for the extension.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 28/10/2024

