

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: Install dormer windows to west (front) elevation, alter existing dormer windows to south (side) and north (side) elevations and install Juliet balcony to east (rear) elevation.

LOCATION: Maple Leaves, Rue Colin, Vale.

APPLICANT: Mr & Mrs R Proctor

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 30/09/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Steve De Vial & Company Ltd 2024-835-1, 2, Block Layout Plan, Site Location Plan.

Application Ref: FULL/2024/1639

Property Ref: C025420000

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.

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/2024/1639
Property Ref: C025420000
Valid date: 30/09/2024
Location: Maple Leaves Rue Colin Vale Guernsey GY6 8LA
Proposal: Install dormer windows to west (front) elevation, alter existing dormer windows to south (side) and north (side) elevations and install Juliet balcony to east (rear) elevation.

Applicant: Mr & Mrs R Proctor

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.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a 1.5 storey detached dwelling located to the east of Rue Colin. The property is located Outside of the Centres as designated in the Island Development Plan.

Planning permission is sought to install 3 dormer windows to the front (west) elevation, alter existing dormers, erect a porch to the north, and install a Juliet balcony to the rear (east) elevation. The dormer windows will serve two bedrooms and a shower room.

Relevant History:

FULL/2013/1776	Extend domestic curtilage.	Granted
PAPP/2000/2797	Alter dwelling.	Granted
PAPP/1996/0279	Vary works previously approved to extend and alter dwelling.	Granted
PAPP/1995/1958	Extend and alter dwelling.	Granted
PAPP/1995/1175	Extend and alter dwelling.	Granted
PAPP/1994/5068	Extend and alter dwelling.	Refused

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.

The proposed alterations adopt a good standard of design by virtue of their scale, form, massing, siting and materials and would not have any adverse impact on the character of the area or visual amenity.

Careful consideration has been afforded to the proposed dormer windows to the front of the property and the potential for overlooking effect. Inevitably the proposed dormer windows will have some impact on the amenities of neighbouring residents to the west of the application site, particularly Newholme. However, the Exemptions Ordinance allows for up to two dormers with a similar relationship to the proposed development without the need for planning permission, and the addition of a third would not have significantly greater impact. The properties are separated by a road and feature landscaping, and the dormers would look out on to a front garden, reducing the potential harm to neighbour amenity. The separation distance between the proposed dormer windows to the front building line of Newholme equates to approximately 18-20m, comparable to other properties in the wider locality. Taking into account the above, together with the limited size of the dormer windows (approximately 1m wide), the resultant effect is not considered to be so substantial that would cause 'significant' harm that would be sufficient to rebut the general presumption in favour of householder development.

Similarly, the proposed Juliet balcony to the rear of the property may give rise to oblique angles of overlooking, however any impacts would not be such as to result in significant adverse impacts or warrant alteration to the application.

Due to its position and design, the proposed porch will not have a detrimental impact on the amenities of neighbouring residents.

All other alterations are acceptable under Policy.

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: 28/10/24

