

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: Erect single storey extension, install rooflights to north-east (side) elevation, install Juliet balcony at second floor level to south-east (front) elevation, install rooflights to south-west elevation and alterations to fenestration.

LOCATION: Coin De Lancy, Route Des Bas Courtils, St. Sampson.

APPLICANT: Mrs G Scott

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: 29/11/2024

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: The Drawing Room: 399C2A, 399C3A, 399C4A, 399C5A, 399C6A & 399C7A.

Application Ref: FULL/2024/1642

Property Ref: B000840000

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.No cladding shall be brought to the site until such time as a finished sample of the natural timber cladding to be used has been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To ensure that the natural timber cladding to be used achieves a satisfactory standard of design in the interests of visual amenity.

5.The cill height of the roof light hereby approved to the side (north-east) elevation, serving bedroom 3, as shown on drawing 399C5A, shall be installed at no less than 1700mm above finished floor level.

Reason - To protect the amenities of neighbouring residents.

6.For the avoidance of doubt, the door frame of the Juliet balcony hereby approved shall match the colour of the fenestration to the front of the house.

Reason -The colour of the frame of the Juliet balcony should match the fenestration on the principal elevation of the main dwelling to ensure that the design is cohesive and comprehensive as the drawings are unclear, to avoid introducing a discordant element into the street scene.

Expiry Date: This permission will cease to have effect on 29/11/2027 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/2024/1642
Property Ref: B000840000
Valid date: 30/09/2024
Location: Coin De Lancy Route Des Bas Courtils St. Sampson Guernsey GY2 4BL
Proposal: Erect single storey extension, install rooflights to north-east (side) elevation, install Juliet balcony at second floor level to south-east (front) elevation, install rooflights to south-west elevation and alterations to fenestration.
Applicant: Mrs G Scott

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. No cladding shall be brought to the site until such time as a finished sample of the natural timber cladding to be used has been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To ensure that the natural timber cladding to be used achieves a satisfactory standard of design in the interests of visual amenity.

5. The cill height of the roof light hereby approved to the side (north-east) elevation, serving bedroom 3, as shown on drawing 399C5A, shall be installed at no less than 1700mm above finished floor level.

Reason - To protect the amenities of neighbouring residents.

6. For the avoidance of doubt, the door frame of the Juliet balcony hereby approved shall match the colour of the fenestration to the front of the house.

Reason -The colour of the frame of the Juliet balcony should match the fenestration on the principal elevation of the main dwelling to ensure that the design is cohesive and comprehensive as the drawings are unclear, to avoid introducing a discordant element into the street scene.

OFFICER'S REPORT

Site Description:

The application site consists of a traditional 2.5 storey semi-detached property located on the corner between Route Des Bas Courtils and Delancey Lane. The property is served by a front garden to the south, and parking provision to the rear (north). The east of the site is bounded by a high granite wall.

The property is located in a Main Centre Outer Area as designated in the Island Development Plan. The property is not protected, nor is it situated within a Conservation Area.

Relevant History:

FULL/2022/1273	Demolish and rebuild two chimneys to east (side) elevation.	Granted
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Existing Use(s):

Residential

Brief Description of Development:

Planning permission was originally sought to erect a single storey extension and terrace to the side (east) of the property, and install a Juliet balcony at second floor level to the front (south), together with new roof lights and alterations to the fenestration.

The application was deferred over the first floor terrace to the east of the property and the size of the Juliet balcony to the front. It was also advised to raise the height of the boundary wall and to omit the use of timber cladding on the east and south elevations.

The agent has subsequently omitted the first floor terrace, altered the material of the extension to natural timber, and reduced the size of the Juliet balcony to the front.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

GP5 Protected Building (setting)
GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Representations:

None.

Consultations:

None.

Summary of Issues:

- Whether the design, scale, mass, siting, form and materials of the proposed development is acceptable.
- The impact of the development on the character and appearance of the area.
- The impact of the development on neighbour amenity.

Assessment against:

- 1 - Purposes of the law.
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.
- 3 - General material considerations set out in the General Provisions Ordinance.
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

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.

Policy GP13 (Householder Development) states that proposals for the alteration and/or extension of residential properties within the residential curtilage, will be supported where there are no significant adverse effects on the amenities of neighbouring properties; the design, scale, mass and form would not detract from the open character of open locations; and they do not affect the special interest of Conservation Area, Area of Biodiversity Importance, protected building or protected monument.

In this instance Policy GP8 (Design) is also relevant. In addition, the preceding text to this policy refers to the need to consider the material planning considerations as specified in Part IV, Section 13 of the Land Planning and Development (General Provisions) Ordinance 2007. These include the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used, as well as its likely effect on the character and amenity of the locality in question and its likely effect on the reasonable enjoyment of neighbouring properties.

Whilst not a protected building, nor situated within a Conservation Area, the application site comprises a corner plot which is visible in the street scene from multiple vantage points and therefore is sensitive to change given its prominence. In addition, the house to the east of the application site comprises a protected building therefore any development has the potential to effect the setting of the adjacent property.

The application seeks to maximise the footprint of the site by extending the dwelling at ground floor level up to the inside of the east boundary wall. By doing so creates an irregular shaped extension, with it tapering down in a north-south direction.

The proposed single storey extension is subservient to the main house and makes the most effective and efficient use of the land by infilling this unused external space to the side of the house.

Whilst not encouraged, the agent has decided to include a 1m projection of timber cladding above the boundary wall which runs along the east and south elevations of the proposed extension (circa 12m). The 1m projection of timber cladding above the boundary is likely to be highly noticeable and contrastive when read against the granite boundary wall in the foreground and the render exterior of the dwelling-house. The use of natural materials coupled with its relatively short extent above the boundary walls is not considered to cause unacceptable harm to reasonably rebut the general support in favour of householder development (Policy GP13) and justify refusal. Moreover, the site is located in a non-designated area where a degree of flexibility is given to householders to exert personal choice with regards to

design matters. In this case, this flexibility takes the form of a natural timber cladding, as oppose to raising the height of the boundary wall.

Given the scale and nature of the development, the proposal is not considered to adversely affect the setting of the protected building to the east of the application site.

The design of the Juliet balcony is proportionate and respects the fenestration of the main house when compared to the original scheme. Consequently, the proposal would not introduce an unacceptable discordant element into the street scene. The door frame colour of the door of the Juliet balcony should match the colour of the fenestration on the principal elevation of the main dwelling to ensure that the design is cohesive and comprehensive as the drawings are unclear.

Careful consideration has been given to the effect of the development on the amenities of neighbouring residents, although due to the scale of development together with its orientation and relationship to neighbouring properties, the proposed extension and Juliet balcony will not adversely affect the amenities of neighbouring properties.

It is however necessary and reasonable to condition that the roof light (1400mm x 600mm) serving bedroom 3 be installed at no less than 1.7m above finished floor level given the proximity and potential area overlooked of the neighbouring property to the east. It is considered that allowing the roof light as it is currently proposed, would undermine the privacy and amenity that the neighbouring residents could reasonably expect to enjoy.

In addition, the roof lights serving the landing area is not needed to be conditioned, nor too should the roof lights on the west elevation serving bedrooms 3 and 4. This decision has been reached when taking into account the proximity and relationship to neighbouring properties and the potential oblique angles that are likely achievable from the proposed roof lights. Consequently, these views are not considered to cause unacceptable harm.

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; it is therefore recommended that planning permission be granted, subject to conditions.

Date: 27/11/24

