

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, extend and alter at ground and first floor levels including balcony to west elevation.

LOCATION: Le Haut, Les Niaux, St. Andrew.

APPLICANT: Mr M Campbell & Miss S De Carteret

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: 10/12/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/11/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture Ltd: 2422/02.01A, /02.02A & /02.03A.

Application Ref: FULL/2024/1780

Property Ref: K00310A001

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 detail shown on the approved plans, prior to installation, further details of the proposed solar panels including the number of panels, location and cross section of the panels to show the angle of tilt, have been submitted to and agreed in writing by the Authority. The panels shall be installed in accordance with the approved details.

Reason- In the interests of residential and visual amenity.

5. a) Prior to the commencement of any work in connection therewith precise details of the 'green roof', including drawings showing the method of construction, details of the plant species to be used and a plan for its management and maintenance, shall be submitted to and agreed in writing by the Authority.

b) Prior to first use of the extensions, the 'green roof' shall be completed in accordance with the agreed details and shall be maintained in accordance with the agreed management and maintenance plan.

Reason: The inclusion of a 'green roof' is part of the design concept for the development hereby permitted. Its provision will assist in securing the satisfactory appearance of the completed development and in accordance with Policy GP8 and GP9.

Expiry Date: This permission will cease to have effect on 10/12/2027 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/2024/1780
Property Ref: K00310A001
Valid date: 08/11/2024
Location: Le Haut Les Niaux St. Andrew Guernsey GY6 8SX
Proposal: Demolish extension, extend and alter at ground and first floor levels including balcony to west elevation.

Applicant: Mr M Campbell & Miss S De Carteret

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 detail shown on the approved plans, prior to installation, further details of the proposed solar panels including the number of panels, location and cross section of the panels to show the angle of tilt, have been submitted to and agreed in writing by the Authority. The panels shall be installed in accordance with the approved details.

Reason- In the interests of residential and visual amenity.

5. a) Prior to the commencement of any work in connection therewith precise details of the 'green roof', including drawings showing the method of construction, details of the plant species to be used and a plan for its management and maintenance, shall be submitted to and agreed in writing by the Authority.

b) Prior to first use of the extensions, the 'green roof' shall be completed in accordance with the agreed details and shall be maintained in accordance with the agreed management and maintenance plan.

Reason: The inclusion of a 'green roof' is part of the design concept for the development hereby permitted. Its provision is will assist in securing the satisfactory appearance of the completed development and in accordance with Policy GP8 and GP9.

OFFICER'S REPORT

Brief Description of the site:

The application site is located to the west of Talbot Valley, and is comprised of an isolated dwelling located on a hillside. The proposal includes the demolition of part of the existing dwelling, with new extensions and alterations at ground and first floor levels including a large balcony to the west elevation. The extension includes an element of dower/annex accommodation.

Relevant History:

FULL/2013/2714- Demolish existing garage and conservatory and erect 1.5 storey sun lounge extension (south elevation) and single storey extension to rear.

Existing Use(s):

01 Dwelling houses

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:

GP1- Landscape character

GP8- Design

GP9- Sustainable development

GP13- Householder development

Conclusion/Brief comment:

The proposed works to the dwelling include the demolition of the existing extension to the north elevation, and erection of a new extension to the north forming a formal lounge area and an ensuite bedroom with dressing room (described as dower accommodation), these are flat roofed partially incorporating a green roof/solar panels. An extension is also proposed at ground floor to the south, to provide a new boot rooms/WC and front door.

At first floor, an extension to the north provides a new bedroom/landing/study area and facilitates the introduction of a lift. An extensive balcony with roof garden is also proposed.

The principal of these extensions is acceptable under Policy GP13 which allows for residential extensions and improvements to dwellings.

The external appearance is considered acceptable and will not appear visually intrusive in the landscape. The large balcony and new first floor windows are acceptable given the isolated location of the dwelling, approx. 120m away from any residential neighbours, meaning that no harmful impact on neighbour amenity is anticipated. The proposal is therefore considered to fulfil the requirements of GP1, GP8 and GP9.

The proposed dower accommodation forms part of the extension and is well integrated into the main dwelling, with clear physical and functional links. It can easily be incorporated into the dwelling if/when no longer required and is therefore in accordance with Policy GP13.

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.

Recommendation:

Grant with Conditions



Date: 09/12/2024

