

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 outbuilding and extension, raise roof ridge height to create accommodation at 1st floor level and extend to west (side) elevation.

LOCATION: Rose Cottage, Rue De Bouverie, Castel.

APPLICANT: Mr D Barlow

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: 24/01/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 31/10/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Naftel Associates - A170602/PD/10B, 11B & 12B.

Application Ref: FULL/2024/1791

Property Ref: D014650000

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 24/01/2028 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/2024/1791
Property Ref: D014650000
Valid date: 31/10/2024
Location: Rose Cottage Rue De Bouverie Castel Guernsey GY5 7TZ
Proposal: Demolish outbuilding and extension, raise roof ridge height to create accommodation at 1st floor level and extend to west (side) elevation.

Applicant: Mr D Barlow

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

Site Description:

The site comprises of a traditional pitched roof semi-detached single storey dwelling situated to the north of Bouverie Lane. The site is within the Cobo Local Centre.

Relevant History:

22/08/2024 – PREA/2024/1331 – Pre-application advice regarding extend and alter dwelling.

Existing Use(s):

Residential use class 1: dwelling house

Brief Description of Development:

Planning permission is requested to demolish outbuilding and conservatory and to extend and alter dwelling involving raising the ridge height by 1.5m to create accommodation at 1st floor level and extending to the west (side) elevation with a 1½ storey extension which continues the main ridge line. The proposal includes installing 3 pitched roof dormer windows to the front (south) elevation and 3 rooflights to the rear (north) elevation.

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

GP8: Design

GP9: Sustainable development

GP13: Householder development

Representations:

One letter of representation in response to the original application, the main points as follows:

- No objection to the application in principle.
- Concerns raised about the height of the proposed ridge, its relationship with the chimney on the adjoining neighbouring property and issues relating to maintenance and water ingress.

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. Design and impact of the development on the character and visual amenity of the area.
2. The impact on the amenities of neighbouring residents.

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).**

During the course of consideration the application was revised to omit a flat roof single storey extension to the south (front) elevation and to alter the east gable to include a half hipped roof design.

Properties within the area are of a mixed size and design. The scale, mass and ridge height of the extended dwelling would have no adverse effects. The extended dwelling is largely of a traditional design which would respect the character of the area. The half hipped east gable end of the roof does not respect the traditional design of the remainder of the dwelling or the adjoining dwelling and this feature does not achieve a high standard of design. However, the property is not located within a Conservation Area or other sensitive area, as set out in the preceding explanation to Policy GP8, and Policy GP8 provides support for personal choice in design matters in such circumstances. As a whole the design and appearance of the extended dwelling would not cause sufficient harm to the appearance of the surroundings and the character and amenity of the locality to outweigh the support and flexibility for extensions and alterations to existing residential buildings as set out in Policy GP13. As a result, the proposal does not conflict with Policies GP8 and GP13.

The dormer windows face towards and would cause a degree of overlooking of the neighbouring property to the south. However, due to the distance to the neighbouring property, the dormer windows are unlikely to result in an unacceptable loss of privacy and are therefore unlikely to have a material adverse effect on the amenities of neighbouring residents. The rooflights to the north elevation are indicated to be high level with a cill height of 1.7m which would be adequate to protect the privacy of the neighbouring property to the north.

Information has been submitted to demonstrate that the design has taken into account the use of energy and resources, in accordance with Policy GP9.

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 application is acceptable in relation to the above policies and other material planning considerations.

Date: 23/01/2025

