

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: Variation to previously approved plans to Demolish extension, extend and alter at ground floor and first floor levels and excavate and erect retaining wall to east of property - Raise roof ridge height by 450mm and install rooflights to rear (east) elevation of garden room.

LOCATION: Demi Rocher, Rue Du Rocher, Torteval.

APPLICANT: Ms T Lesbirel

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: 18/12/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/11/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Martel Design Ltd - 23-1081 02 G & 03 G

Application Ref: FULL/2024/1894

Property Ref: G004780000

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 on or before 17/08/2026.

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 18/08/2023, issued under planning application reference FULL/2023/0884, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

Expiry Date: This permission will cease to have effect on 17/08/2026 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/2024/1894
Property Ref: G004780000
Valid date: 12/11/2024
Location: Demi Rocher Rue Du Rocher Torteval Guernsey GY8 0PQ
Proposal: Variation to previously approved plans to Demolish extension, extend and alter at ground floor and first floor levels and excavate and erect retaining wall to east of property - Raise roof ridge height by 450mm and install rooflights to rear (east) elevation of garden room.

Applicant: Ms T Lesbirel

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 on or before 17/08/2026.

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 18/08/2023, issued under planning application reference FULL/2023/0884, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a semi-detached property located to the east of Rue Du Rocher. The site is located Outside of the Centres and is located in an Agriculture Priority Area as designated in the Island Development Plan.

Planning permission is now sought to vary the approved scheme for a second time. The application proposes to raise the ridge height of the approved ground floor extension by 450mm (approved under application FULL/2024/0442), and incorporate roof lights to the rear (east) elevation. No habitable accommodation is proposed at first floor level as shown on the first floor plan.

Relevant History:

FULL/2024/0442	Variations to plans previously approved to demolish extension, extend and alter at ground and first floor level and excavate and erect retaining wall to east of property. - Extend and alter at ground and first floor level, erect single storey extension with link to north (front) elevation – planning conditions included	Granted
FULL/2023/1623	Demolish shed, erect single storey outbuilding to north-east of property (revised scheme).	Withdrawn
FULL/2023/0884	Demolish extension, extend and alter at ground floor and first floor level and excavate and erect retaining wall to east of property	Granted
FULL/2022/1637	Erect single storey outbuilding/dower unit to north-east of property.	Refused
FULL/2013/1653	Erect a sun lounge (east elevation).	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.

Increasing the ridge height of the ground floor extension serving the proposed garden room and bedroom does alter the scale, mass and bulk of the extension when viewed in context with the main house. However, despite increasing the height of the pitched roof ground floor extension, the extension is still regarded as being ancillary and subservient to the main house in terms of its physical association and use. Moreover, no first floor accommodation is proposed within the extension as shown on the first floor plan (drawing 23-1081 02G) and is for attic storage purposes.

The increased ridge height is considered to have a limited effect on visual amenity and the character of the area when viewed from public vantage points in the surrounding area.

The roof-lights proposed are large, but are located to the rear (east) of the extension and therefore will not have a detrimental effect on the visual amenity of the area.

The changes proposed will not affect neighbour amenity.

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. It is noted that the planning conditions attached to the earlier variation would remain applicable in connection with this latest variation scheme because the current application seeks to make changes to aspects of the development specifically approved under the variation approved earlier in 2024.

Recommendation:

Grant with Conditions



Date: 18/12/24