

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 extension at 1st floor level to south (rear) elevation.

LOCATION: Veronica, Les Effards, St. Sampson.

APPLICANT: Mr & Mrs Thompson

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 25/11/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Create Ltd - 995-3-001 A, 995-1-001 A.

Application Ref: FULL/2024/1936

Property Ref: B009530000

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.The first floor window on the east elevation shall be glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) and shall thereafter be retained at all times, in accordance with drawing 995-3-001 A.

Reason - To protect the amenities of neighbouring residents by preventing the loss of privacy from this window.

5.The first floor window on the west elevation shall be installed at no less than 1.8m above finished floor level and shall thereafter be retained at all times, in accordance with drawing 995-3-001 A.

Reason - To avoid any ambiguity and to protect the amenities of neighbouring residents by preventing the loss of privacy from this window.

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/2024/1936
Property Ref: B009530000
Valid date: 25/11/2024
Location: Veronica Les Effards St. Sampson Guernsey GY2 4YN
Proposal: Erect extension at 1st floor level to south (rear) elevation.

Applicant: Mr & Mrs Thompson

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.

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OFFICER'S REPORT

Brief Description of the site:

The application site comprises a traditional two storey dwelling, located to the south of Les Effards, St. Sampson. The site is located Outside of the Centres as designated in the Island Development Plan.

The property is bounded by residential properties to the east, south and west. A private car parking area is located to the south, serving a mid- 2000 housing development.

Planning permission was granted in 2022 (FULL/2021/2579) to erect a ground floor extension to the rear of the property, amongst other works.

Planning permission is now sought to erect an extension at first floor level to the south (rear) of the dwelling.

The first floor extension will serve as a bedroom, ensuite and dressing room. The design of the extension adopts a pitched roof, and uses materials to reflect that used on the host dwelling. The proposal incorporates an obscure glazed window on the east elevation, a window and Juliet balcony on the south elevation, and a high level window on the west elevation.

Two new Velux windows are also proposed to the rear of the main house.

The application was deferred as some concerns were raised over the position of the first floor extension and its close proximity and relationship to neighbouring properties. Other matters also needed clarification.

In response, the agent has provided a detailed shadow analysis in attempt to demonstrate the effect of the proposal on neighbouring properties.

Relevant History:

FULL/2021/2579	Demolish extension and outbuilding, erect single storey flat roof extension to south (rear) elevation and demolish section of wall to form pedestrian access to front of property.	Granted
FULL/2020/2393	Demolish chimneys, rebuild west chimney and install rooflight to south (rear) roofslope.	Granted

Existing Use(s):

Residential – Use class 1.

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:

The principal aim of the Island Development Plan is to help maintain and create a socially inclusive, healthy and economically strong Island, while balancing these objectives with the protection and enhancement of Guernsey's built and natural environment and the need to use land wisely.

Policy GP13 is generally supportive of proposals for domestic extensions, alterations and other such householder development, unless material considerations indicate otherwise or conflicts with other Plan policies or the States strategic objectives are identified.

The proposal adopts a good standard of design by virtue of its scale, form, massing, siting and materials. Whilst large, the extension is subservient, proportionate and well related to the original house, and adopts a material palette which reflects and respects those materials used on the main dwelling.

Due to its position, form and overall appearance, the proposal will not have a detrimental impact on the character of the area or visual amenity.

Careful consideration has been given to the effect of the development on the amenities of neighbouring residents.

Due to its close proximity to neighbouring properties, the proposal will inevitably have a degree of overshadowing, overlooking and overbearingness. However, when taking into account the shadow analysis submitted, the proposal is only likely to affect neighbouring properties during certain times of the day, over the course of the year. The additional extent of shadowing is generally limited to the early hours of the day (affecting the neighbouring property to the west, 'Tamtris'), and the latter parts of the day (affecting the neighbouring property to the east, 'Grasscroft'). On this basis, this would not result in a substantial overshadowing effect that would be significant to reasonably justify refusal under Policy GP8, GP9 or GP13.

With regards to overlooking, the principal views from the first floor extension are focused southwards, over the rear garden of the property. Whilst there may be obscure views towards neighbouring gardens to the east and west from the fenestration on the south elevation of the extension, these views would be oblique and would not directly overlook the most sensitive part of the neighbour's respective gardens. The harm caused would not be sufficient to warrant refusal. Moreover, views to the east and west are restricted by obscure glazing, or are set at a high level to prevent overlooking.

The proposed first floor extension is likely to have an overbearing impact, particularly towards the neighbouring property to the east, although the scale of its dominance and imposition when taking into account the distance between the extension and the neighbouring dwelling to the east (approximately 6m), together with the length of the extension along the east elevation (approximately 5.5m), and the area most likely to be affected; is not considered to cause unacceptable harm in terms of its effect on neighbour amenity.

Overall, the proposal is likely to impact the amenities of neighbouring properties, although would not lead to significant concerns to amount to unacceptable harm.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

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.

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: 23/01/25