

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: Raise roof ridge height, extend and alter at first floor and at ground floor level, including raised terrace and pergola.

LOCATION: Le Petit Rozel, Rozel Road, St. Peter Port.

APPLICANT: Mr & Ms S Birch

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: 12/02/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/01/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Paul Langlois Architects: 2265/09 & /10.

Application Ref: FULL/2024/2016

Property Ref: A211010000

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.Notwithstanding the information submitted, the first floor south facing windows hereby approved serving bathrooms must be glazed with obscure glass to a minimum privacy level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and these windows shall be retained as such thereafter.

Reason - To protect neighbour privacy and amenity.

Expiry Date: This permission will cease to have effect on 12/02/2028 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/2024/2016
Property Ref: A211010000
Valid date: 07/01/2025
Location: Le Petit Rozel Rozel Road St. Peter Port Guernsey GY1 2DY
Proposal: Raise roof ridge height, extend and alter at first floor and at ground floor level, including raised terrace and pergola.

Applicant: Mr & Ms S Birch

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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).

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Reason - To protect neighbour privacy and amenity.

OFFICER'S REPORT

Site Description:

The existing building is of 1960/70's construction and consists of a detached 1.5 storey dwelling with an attached flat roof garage which sits between the front elevation and the road. The site is situated to the east side of Rozel Road and the dwelling is situated to the south of its square plot.

The site is located in the Main Centre Outer Area, and is also within the Conservation Area.

Relevant History:

FULL/2022/2168- Remove section of wall to widen vehicle access. Approved

FULL/2023/1364- Demolish dwelling, erect 5 dwellings with associated works, alter and widen vehicle access (Revised). Approved

Existing Use(s):

Residential use class 1: dwelling house

Brief Description of Development:

Planning permission is requested to demolish the existing conservatory and extend to the rear, including raising the roof, extensions, and alterations at first floor level. A new first floor with gables is proposed over the existing flat roof garage with first

floor link to the main dwelling. The application also includes a raised terrace and pergola to the north elevation.

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

GP4: Conservation Area

GP8: Design

GP9: Sustainable development

GP13: Householder development

Representations:

One objection was received, main points as follows:

- Overlooking and loss of privacy from the proposed windows in the south elevation
- Overshadowing and loss of view of open skies.
- Visual and physical impact of increased height and scale of building.

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. Design, scale and impact of the development on the character and appearance of the area.
2. The impact of the development on the amenity of people living in the area.

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).**

Policy GP13 indicates that proposals for the alteration and/or extension of residential properties will be supported subject to certain criteria being met including with regards to the impact on the amenities of neighbouring properties, taking into account the surrounding character and where they accord with all the relevant policies of the Island Development Plan. In this instance Policies GP1, GP8 and GP9 are also relevant. In addition, the preceding text of Policy GP13 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.

Properties within the area are of a mixed size and design with many properties of traditional character and many are two storey in scale, including the neighbour to the south, Nous Voila. The proposal would result in an increase to the footprint, height, scale and mass of the dwelling, and with the introduction of a pitched roof above the existing flat roof garage, the extensions will be visible from the road and increase the presence of the dwelling in the streetscene, although remaining subservient to the main dwelling which prevents significant adverse effects on the character of the local built environment and is acceptable in the Conservation Area context.

As the existing dwelling is smaller in height than the majority of immediate neighbouring properties, the scale and mass of the extended dwelling would be comparable to neighbouring properties and Policy GP8 encourages multi-storey designs as a more efficient use of land.

The extended dwelling would result in the introduction of additional windows to the south elevation which is shared with the neighbour at Nous Voila. The proposed two first floor windows in this elevation are serving bathrooms and so can reasonably be obscure glazed. There is a full length window in the first floor link between the new accommodation above the garage and the main dwelling, this window is approximately level with the front elevation of the neighbouring dwelling and as it is set back within the application site, it is not considered to result in harmful overlooking.

The new first floor rear facing windows are orientated down the application site, and the rear building line is deeper than the neighbours which means that any views from the new rear first floor windows are unlikely to result in a significant additional degree of overlooking of the neighbouring property to the south.

The position of the site to the north of the neighbour means that the extensions and raising of the roof are unlikely to result in a harmful impact on light levels received to the neighbours due to this orientation where the majority of additional shading resulting from the proposed works will fall within the application site itself. The 3.5m separation distance between the dwellings is maintained and the visual and physical impact is not considered to be harmful as a result of this and the proposed pitched roof design of the rear extensions which assists in lessening the bulk.

Overall the increase in the scale and mass of the extended dwelling and the positioning of fenestration is unlikely to result in a material adverse effect on the amenities of neighbouring residents. The proposed materials are high quality, including natural slate and larch cladding and are acceptable and appropriate in the Conservation Area.

Information has been submitted to demonstrate that the design has taken into account the use of energy and resources, in accordance with Policy GP9 and a condition has been added to ensure the suitability of the proposed solar panels.

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.

It is recommended that the application is approved.

Date: 28/01/2025