

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 and chimney, erect single storey extension, raised terrace area and erect dormer window to south (rear) elevation. Install dormer windows and rooflight to north (front) elevation and alterations to fenestration. Infill pedestrian access and create additional vehicle access to north boundary.

LOCATION: Eturs Place, Rue Des Eturs, Castel.

APPLICANT: Mr A Hatton

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: 13/02/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/12/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTECH Freelance Architecture: AH-24-2213-02A

Application Ref: FULL/2024/2094

Property Ref: D007960000

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.Within 2 months of the new access point being formed, the existing pedestrian access shall be infilled and finished in materials to match as closely as possible to the existing roadside wall, and the ends of the new access point shall also be finished in materials to match as closely as possible to the existing roadside wall.

Reason - In the interests of visual amenity to limit the number of openings within the roadside wall, and to ensure that the external face of the wall is completed within an acceptable timeframe.

5.For the avoidance of doubt, the new vehicle access point shall be no greater than 3400mm wide.

Reason - to avoid any ambiguity and to clearly define the permission.

Expiry Date: This permission will cease to have effect on 13/02/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the dwelling presently known as Eturs Place.

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/2024/2094
Property Ref: D007960000
Valid date: 23/12/2024
Location: Eturs Place Rue Des Eturs Castel Guernsey GY5 7DU
Proposal: Demolish extension and chimney, erect single storey extension, raised terrace area and erect dormer window to south (rear) elevation. Install dormer windows and rooflight to north (front) elevation and alterations to fenestration. Infill pedestrian access and create additional vehicle access to north boundary.

Applicant: Mr A Hatton

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. Within 2 months of the new access point being formed, the existing pedestrian access shall be infilled and finished in materials to match as closely as possible to the existing roadside wall, and the ends of the new access point shall also be finished in materials to match as closely as possible to the existing roadside wall.

Reason - In the interests of visual amenity to limit the number of openings within the roadside wall, and to ensure that the external face of the wall is completed within an acceptable timeframe.

5. For the avoidance of doubt, the new vehicle access point shall be no greater than 3400mm wide.

Reason - to avoid any ambiguity and to clearly define the permission.

INFORMATIVES

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the dwelling presently known as Eturs Place.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a two storey, traditional detached dwelling, located to the south of Rue Des Eturs. The property is served by a single vehicular access and pedestrian access to the front, with a detached garage to the east. Glasshouses once stood to the rear of the site. The site lies Outside of the Centres and within an Agriculture Priority Area as designated in the Island Development Plan.

Planning permission is sought to demolish an extension and chimneys, and erect a large single storey flat roof extension, raised terrace area and erect a large flat roof dormer window to the south (rear) elevation.

Permission is also sought to install dormer windows and a rooflight to the north (front) elevation, and to make alterations to the fenestration. To the front of the property, it is proposed to infill a pedestrian access, and to create an additional vehicle access to the north boundary.

Relevant History:

Definition of Curtilage - CURT/2024/1820

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:**

GP1 Landscape Character and Open Land

GP8 Design

GP9 Sustainable development

GP13 Householder Development

IP9 Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

The proposed single storey flat roof extension to the rear of the property is large, although is subservient and proportionate to the original house, and achieves a good standard of design (Policy GP8 – Design) in terms of its scale, mass, form, siting and materials. The extension is considered in keeping with the rear built form of the surrounding area and due to its position the proposal will not be highly visible in public views.

Given its size, relationship to the surrounding built form, and orientation to neighbouring properties, the proposed extension and raised terrace will not have an unacceptable effect on neighbouring residents.

Whilst the dormer window to the rear of the property is large, bulky and not sensitive to the traditional character and appearance of the original house, the proposed dormer would not give rise to significant concerns to justify refusal when taking into account the flexibility in support of householder development in less sensitive area, particularly in locations which are not highly visible in the wider area.

The alterations to the front of the property are sympathetic to the house.

The internal alterations to the garage do not require planning permission.

Careful consideration has been given to the creation of a second vehicle access to the front of the property. Whilst it is regrettable to create an additional vehicular access to the property given the partial loss of the roadside wall, the resultant impact on the landscape character would not be so substantial, in this particular circumstance, to justify refusal when taking into account other properties in the immediate and wider area to the of Rue Des Eturs which are also served by two access points.

Consequently, the harm caused by the second access would not cause unacceptable harm when taking into account similar types of development in the surrounding area. The loss of the hedge is acceptable, and the second access would achieve satisfactory sightlines due to the height of the roadside wall. It is however necessary and reasonable to attach appropriate conditions to the decision to ensure the works are carried out in a timely manner, and in accordance with the plans.

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.

Recommendation:

Grant with Conditions



Date: 10/02/25

