

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 erect two storey extension to north-west (rear) elevation and alterations to fenestration (Revised Scheme) - Erect porch and solar panels to south-east (front) elevation, install rooflight to north-west (rear) elevation, alteration to fenestration and install solar panels to south-east of outbuilding/garage.

LOCATION: Les Rocques, Rue Du Planel, Torteval.

APPLICANT: Mr & Mrs S Brehaut

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: 20/03/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 31/01/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Architecture Ltd: 23-1526 PD/01C, 02D

Application Ref: FULL/2025/0127

Property Ref: G00220B000

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 28/10/2027.

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 variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 28/10/2024, issued under planning application reference FULL/2024/1563, and subject to the terms and conditions thereof.

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

5. The first floor window on the north-east elevation serving the bedroom shall be fixed (i.e. non opening) and glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

Expiry Date: This permission will cease to have effect on 28/10/2027 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/2025/0127
Property Ref: G00220B000
Valid date: 31/01/2025
Location: Les Rocques Rue Du Planel Torteval Guernsey GY8 0LY
Proposal: Variation to previously approved plans to erect two storey extension to north-west (rear) elevation and alterations to fenestration (Revised Scheme) - Erect porch and solar panels to south-east (front) elevation, install rooflight to north-west (rear) elevation, alteration to fenestration and install solar panels to south-east of outbuilding/garage.

Applicant: Mr & Mrs S Brehaut

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 28/10/2027.

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 variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 28/10/2024, issued under planning application reference FULL/2024/1563, and subject to the terms and conditions thereof.

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

5. The first floor window on the north-east elevation serving the bedroom shall be fixed (i.e. non opening) and glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

OFFICER'S REPORT

Site Description:

The application site known as Les Rocques consists of a traditional, two storey, 4 bay granite farmhouse which forms the corner between Rue Du Planel and Rue De L'Eglise. The property is accessed by a pedestrian and vehicle access to the front (south) of the site and is served by a garage to the east of the plot.

The property has undergone various extensions and alterations over the years, including a ground and first floor pitched roof extension and a roof terrace to the rear of the property. The front of the property has retained its original character and has an attractive façade which is highly visible in the street scene.

The property is bounded by neighbouring properties to the north and east of the site which comprise a mix of building types and styles, including a circa 1960s bungalow (Same) to the north, and a post 2000 bungalow (La Petite Grange) to the east.

The application is located Outside of the Centres as designated in the Island Development Plan.

Relevant History:

FULL/2024/1563	Demolish extension, erect two-storey extension to north-west (rear) elevation and alterations to fenestration. Alter roadside wall, vehicle access and infill pedestrian access. (Revised scheme).	Grant
FULL/2024/0828	Demolish extension, erect two storey extension and extend roof terrace at first floor level to north-west (rear) elevation, erect porch to south-east (front) elevation and alterations to fenestration. Alter roadside wall, vehicle access and infill pedestrian access.	Refusal

Existing Use(s):

Residential

Brief Description of Development:

Planning permission was refused in 2024 (FULL/2024/0828) to demolish an extension and erect a two-storey flat roof extension, and extend roof terrace at first floor level to north-west (rear) elevation. To the front (south-east), the application included a single storey flat roof porch, together with alterations to the fenestration, roadside wall, vehicle access as well as infilling a pedestrian access. The reasons for refusal are set out below:

- 1. The proposed rear extension is inappropriately designed by virtue of its mass and bulk which is overbearing and disproportionate to the size and proportion of the existing traditional farmhouse building. The lack of cohesion between the design of the traditional farmhouse, existing traditional pitched roof extension, and the proposed contemporary two-storey flat roof extension to the rear and flat roof extension/porch to the front results in a discordant mix of architectural styles and adaptations which does not provide a sense of cohesion or rhythm when 'read' as a whole. As such the introduction of extensions of the size and design proposed would be at odds with the surrounding built environment and would be detrimental to the character and appearance of the surrounding area. The proposals therefore do not represent 'good' design for the purposes of Policy GP8.*
- 2. The position and size of first floor windows along the east elevation of the proposed first floor extension and distance to the neighbouring property's external amenity space would give rise to neighbour amenity issues as a result of overlooking.*

A revised scheme was later granted planning permission in 2024 (FULL/2024/1563) to demolish an extension and erect a two-storey flat roof extension to north-west (rear) elevation, make alterations to the fenestration, and undertake works to the roadside wall.

Planning permission is now sought to vary the works previously approved, to erect a single storey flat roof porch, install solar panels on the roof of the original house and garage, as well as altering and creating new window openings to the rear of the property.

The agent has provided justification for the proposed design in comparison to other design options and has provided examples of other properties. The proposed solar panels on the original house, and the garage, constitute exempt development, provided the solar panels are of the same product type.

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

GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Representations:

None.

Consultations:

None.

Summary of Issues:

- Whether the design, scale, mass, siting, form and materials of the development is acceptable.
- The impact of the development on the character and appearance of the area.
- The impact of the development on neighbour amenity.

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).**

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 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.

Paragraph 19.9.5 of Policy GP8 states that:

"In other, less sensitive, areas a good standard of design will be expected, however the Island Development Plan adopts a supportive position with regard to building design in these areas to enable the property owner to exert personal choice in design matters. This adopts the flexible and proportionate approach that underpins the Plan Objectives of the Island Development Plan. In all cases the design of soft and hard landscaping can also help to reinforce local character and distinctiveness, mitigate the impacts of development and can contribute to more sustainable construction and should also be considered from the outset as an intrinsic part of the design process."

The application site consists of a traditional 4 bay farmhouse style building, with exposed granite to the front, slate roof and sliding sash windows. There is a more recent (circa post 2009) two storey pitched roof rendered extension to the rear.

The property is not a protected building, nor is it situated within a Conservation Area. However, the traditional dwelling positively contributes to the character and appearance of the surrounding area. Its traditional façade makes it sensitive to development which could alter or undermine its positive contribution to the local built environment.

The agent has provided justification for the proposed design in comparison to other design options with regards to erecting a porch on the front façade of the building.

Based on the drawings submitted, there are concerns that the proposed porch does not respect the symmetry and balance of the traditional façade of the building, and regarding the juxtaposition of the proposed form and design with that façade. It is however noted that the porch, in itself, is well designed and complements the approved extensions to the rear of the building. On balance, the degree of harm is not considered to be so substantial to provide sufficient grounds to rebut the general support in favour of householder development which allows property owners to exert personal choice with regards to design matters, in areas less sensitive to change (Policy GP8).

All other works proposed are acceptable and will not have a detrimental impact on the character of the area, visual amenity, or the amenities of neighbouring residents, subject to appropriate conditions to protect the amenities of neighbouring residents.

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.

Date: 18/03/25

