**ONLINE VERSION**

**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:** Extend dwelling to the rear at ground and first floor level.

**LOCATION:** 6 Jardin De Haut, Mont Arrive, St. Peter Port.

**APPLICANT:** Miss D Help

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: 01/08/2014**

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/06/2014 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Brittain Hadley: G3657-S1-01 & 02

**Application Ref:** FULL/2014/1848

**Property Ref:** A105500006

**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 Environment Department 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 Environment Department and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Environment Department 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.

**Expiry Date: This permission will cease to have effect on 31/07/2017 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 Department made this decision. The official Appeal Notice Forms are available on the Department's website at www.gov.gg/planning-appeals 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 Department took into account any written representations arising from consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any representations made to the Department under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

**Other Remarks:**

You should note that any work which abuts or affects the public highway requires prior approval by the Public Services Department (PSD). You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with PSD 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**

ENVIRONMENT
A STATES OF GUERNSEY GOVERNMENT DEPARTMENT

**PLANNING APPLICATION REPORT**

**Application No:** FULL/2014/1848
**Property Ref:** A105500006
**Valid date:** 20/06/2014
**Location:** 6 Jardin De Haut Mont Arrive St. Peter Port Guernsey
**Proposal:** Extend dwelling to the rear at ground and first floor level.
**Applicant:** Miss D Help

**RECOMMENDATION -** Grant: Planning Permission with Conditions:

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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 Environment Department 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 Environment Department and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Environment Department 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.

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**OFFICER'S REPORT**

## Brief Description:

The application site is located on the northern side of Jardin De Haut, St Peter Port. The area lies within the urban settlement area as defined by the Urban Area Plan 2002.

This application seeks permission for a two storey pitched roof rear extension, materials will consist of, clay roof tiles, white UPVC windows and doors and painted render walls.

**Relevant History:**

None Relevant

**Existing Use(s):**

Residential Use Class 1

**Assessment:** *(Tick as appropriate)*

| | | | |
|---|---|---|---|
| no representation | / | visual amenity acceptable | / |
| accords with policy | / | no material neighbour impact | / |
| within curtilage | / | traffic not affected | / |
| design acceptable | / | | |

**Conclusion/Brief comment:**

Policy GEN5 of the Urban Area Plan states:
*"In considering proposals for development the Committee will take into account:*

*a) the quality of design and materials to be used; and*
*b) the siting, layout and scale of buildings in relation to their surroundings."*

Policy GEN6 states:
*"In considering proposals for development the Committee will take into account locally distinctive features and characteristics of the environment."*

Policy GEN12 states:
*"In considering proposals for development the Committee will take into account any significant impact on the reasonable enjoyment of adjoining properties, particularly in relation to overshadowing, noise and disturbance."*

The principal considerations therefore are design, the effect on the character and amenity of the locality and impact on neighbouring residential amenity.

The neighbouring property to the west has a conservatory at ground floor and bathroom at first floor level; the immediate property to the east has bathroom at first floor and lounge/diner at ground floor level.

The proposed development will extend 2.6m at the rear and will provide for an additional bedroom at first floor level. The impact on adjacent residential amenity

therefore is not likely to be significant given the relatively modest extension proposed.

The applicant has also submitted signed letters from neighbouring residents offering support for the proposals.

The materials proposed would match the existing property and the extension will remain subservient to the host dwelling. The design and impact on the character and amenity of the locality are acceptable.

Overall the two storey extension is considered acceptable and compliant with the above policies. Due to the scale of the extension proposed the reasonable amenity of the adjoining neighbours will not be unduly affected by the development.

Approval is therefore recommended.

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.

**Recommendation:**

Grant with Conditions [/]

**Date: 01/08/2014**