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: Replace roof covering and windows on existing garage.

LOCATION: Dracaena Cottage, Les Buttes, St. Andrew.

APPLICANT: Miss L R Dowinton

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: 04/07/2019

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/05/2019 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Brian R Martel - 4078.02.01, 02 & 03.

Application Ref: FULL/2019/0971

Property Ref: K006770000

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.

Expiry Date: This permission will cease to have effect on 03/07/2022 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-
his permission does not relate to the erection of a replacement fence as shown on the application drawings. The erection of a replacement fence without planning permission can only be undertaken if the works accord with all the requirements of Class 1, Part 16 of The Land Planning and Development (Exemptions) Ordinance, 2007.

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.

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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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No: FULL/2019/0971
Property Ref: K006770000
Valid date: 08/05/2019
Location: Dracaena Cottage Les Buttes St. Andrew Guernsey GY6 8XR
Proposal: Replace roof covering and windows on existing garage.

Applicant: Miss L R Dowinton

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 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.

INFORMATIVES

This permission does not relate to the erection of a replacement fence as shown on the application drawings. The erection of a replacement fence without planning permission can only be undertaken if the works accord with all the requirements of Class 1, Part 16 of The Land Planning and Development (Exemptions) Ordinance, 2007.

OFFICER'S REPORT

Brief Description of the site:

Dracaena Cottage is situated to the east of Rue Des Buttes. The dwelling is two-storey with an asymmetrical roof. A single-storey garage and extension are situated adjacent to the north site boundary.

The planning application relates to the existing garage, the replacement of the existing sheet roofing with a waterproof membrane and the replacement of existing timber framed windows with PVCu casements.

The application drawings make reference to the erection of a replacement fence and posts. The application does not include details regarding the height/materials of fence proposed therefore it is not possible to confirm whether this would constitute exempt development under The Land Planning and Development (Exemptions) Ordinance, 2007.

The site is located Outside of the Centres and within a Conservation Area as designated in the Island Development Plan. Dracaena Cottage is a pre-1900 dwelling however the garage is a later addition.

Relevant History:

FULL/2016/0770 - Demolish conservatory and erect single storey flat roof extension with lantern light (rear elevation) - granted

Existing Use(s):

01 dwelling house

Assessment:

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

Policies considered most relevant:

Island Development Plan policies:

GP4: Conservation Areas
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:

The minor changes to the attached garage will not result in harm to the character and appearance of the Conservation Area and will be substantially screened by the parapet wall to the front/west elevation of the garage. The development will not significantly alter the relationship between Dracaena Cottage and development to the north which is currently a pub/restaurant.

It has been demonstrated that the proposed development will comply with Building (Guernsey) Regulations 2012 and therefore has taken into account the use of energy, resources and any adverse impact on the environment.

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.

In view of the above it is recommended that planning permission is granted for the development proposed.

Recommendation:
Grant with Conditions ✓

Date: 03 July 2019