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: Install new windows and doors and excavation to create external steps to east elevation.

LOCATION: Liberty House, 84 Rue Vautier, Fort George, St. Peter Port.

APPLICANT: Mrs O Qizilbash

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: 18/07/2019

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 30/05/2019 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Create Ltd: 863-3-014

Application Ref: FULL/2019/1151

Property Ref: A41110A084

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 17/07/2022 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

ONLINE VERSION

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2019/1151
Property Ref:	A41110A084
Valid date:	30/05/2019
Location:	Liberty House 84 Rue Vautier Fort George Fort George St. Peter Port Guernsey GY1 2SR
Proposal:	Install new windows and doors and excavation to create external steps to east elevation.
Applicant:	Mrs O Qizilbash

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.

OFFICER'S REPORT

Brief Description of the site:
The application site comprises a large detached property which is undergoing substantial alterations of varying nature.

This application proposes the installation of 4 new windows and 2 new doors into an extension to the west elevation which has previously been granted planning permission, but is not currently built and excavating land to create 3 steps down to one of the new doors.

Relevant History:
FULL/2019/0182 – Demolish, reconfigure and extend terrace and external staircases to the south and east elevations. Install rooflight in south roofslope, alterations to fenestration, remove satellite dish and concrete base and replace the existing access gate.
Approved – 12/03/19

FULL/2019/0735 – Install rooflight in south roofslope (Retrospective).
Approved – 16/05/19

FULL/2019/0740 – Demolish conservatory, erect single storey pitched roof extension to south elevation, install rooflight to south roofslope. Reconfigure and extend to form flat roof porch north elevation. Erect single storey pitched roof extension to east elevation of outbuilding and alterations to fenestration.
Approved – 29/05/19

Existing Use(s):
Residential use class 1: Dwelling House

Assessment: *(Tick as appropriate)*

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

Policies considered most relevant:
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:

The proposed windows and doors would be approximately at ground level due to the topography of the site, and the proposed steps would be set down further. The south boundary of the site is formed by an established hedge and the ground with a retaining wall directly to the south of the windows and doors would be slightly lower than the top of the frames. Additionally, the south boundary of the site is formed by a high wall. The main structure of the dwelling would be adjacent to the proposed works to the north and east, and would be several storeys higher. Therefore, it would only be possible to see the proposed works from a small section of the applicant site to the south and west, and it would not be possible to see them from outside of the site.

Therefore it is considered that the proposal would not result in a detrimental effect to the character of the locality or to the amenity of neighbouring properties.

On the above basis, it is considered that the proposal conforms to the objectives of Policies GP8 and GP13.

Policy GP9: Sustainable Development seeks to ensure all new development takes into account the use of energy and resources and any adverse impacts on the environment. In this case, it is considered that there has been sufficient information provided with the application to comply with the requirements of this policy.

The proposal is considered to conform to all relevant policies and therefore the application is recommended for approval.

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: 17/07/19