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: Demolish conservatory and erect single storey flat roof extension, excavate and erect retaining wall and steps to south (rear) elevation. Alter lean-to roofs to flat roofs on west (side) and south (rear) elevations and reduce first floor window on south (rear) elevation.

LOCATION: The Lodge, Fosse Andre, St. Peter Port.

APPLICANT: Mr & Mrs J Crawford

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: 04/03/2020

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/02/2020 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTECH JC-20-969- 02, 03

Application Ref: FULL/2020/0212

Property Ref: A211370000

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 04/03/2023 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/2020/0212
Property Ref:	A211370000
Valid date:	04/02/2020
Location:	The Lodge Fosse Andre St. Peter Port Guernsey GY1 1XB
Proposal:	Demolish conservatory and erect single storey flat roof extension, excavate and erect retaining wall and steps to south (rear) elevation. Alter lean-to roofs to flat roofs on west (side) and south (rear) elevations and reduce first floor window on south (rear) elevation.
Applicant:	Mr & Mrs J Crawford

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.

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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 Lodge, Fosse Andre is a three storey dwelling with mansard roof. The property has single-storey wings to the east and west. A conservatory and single-storey extension exist to the rear of the property.

The application relates to the demolition of the existing conservatory and the construction of a single-storey flat roof extension to the south with associated excavation works and formation of retaining wall and steps into the garden area. Furthermore, the application relates to alterations to the flat and lean-to roof extensions to the south and west of the property. Alterations are proposed to a first floor window in the rear elevation in order to accommodate the roof of the rear extension.

The application drawings refer to replacement windows however not all these works require permission because the existing windows are PVCu sliding sashes and their replacement with new PVCu sliding sashes of the same design, i.e. one over one sashes replaced with one over one sashes, constitutes exempt development not requiring the specific grant of planning permission. The replacement of the multi-pane sash windows to the rear of the dwelling does not constitute exempt development and must be considered as part of the assessment of the application.

The site is located in the Main Centre Outer Area and Conservation Area as designated in the Island Development Plan. A Protected Building, Sweet Pea Cottage, is situated to the east of the application site.

Relevant History:

None recent and relevant.

Existing Use(s):

01 dwellinghouse

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
GP5: Protected Buildings
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:

In this case, the proposals must satisfy the terms of Policies GP4 and GP5 of the Plan, and meet the statutory duties with regard to conservation areas and protected buildings set out within Sections 34, 35 and 38 of the Law. Policy GP8 (Design) would also be relevant.

The existing conservatory is of no particular merit to warrant its retention and its removal is accepted.

The flat roof design of the proposed extension is not a design approach that is generally encouraged however this approach helps minimise its height and bulk. It is also noted that the property currently benefits from flat roof extensions. The site is not highly publicly visible the rear extension represents a contemporary style development that demonstrates a high standard of design that respects the character of the local built environment. The extension will not result in undue harm to the visual amenities of the locality.

Although the extension will project significantly beyond the rear of 4 Fosse Andre the single-storey nature of the extension and the existing granite boundary wall ensure that the extension will not result in unacceptable harm to the amenities of this adjoining property with regard to overshadowing or overlooking.

The alterations to the roofs of the glazed extension to the west, lean-to roof to the rear of the dwelling and replacement of sash windows to the rear of the property will provide continuity around the property. The alterations will not be highly visible from outside the site give the scallop details to the front/north and enclosed nature of the rear garden. The works represent a high standard of design that respects the local built environment and has regard to the health and well-being of the occupiers of the development with regard to natural light. These alterations will not significantly alter the relationship of The Lodge to any surrounding property with regard to residential amenity (overshadowing/overlooking).

The first floor window alterations and excavation works and formation of retaining wall and steps within the rear garden area will not result in harm to the character and appearance of the Conservation Area nor the amenities of any surrounding residential occupiers.

The developments proposed will not result in harm to the setting and special interest of the Protected Building to the east.

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 proposed development.

Recommendation:
Grant with Conditions ☑

Date: 04 March 2020