

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 garage and erect two storey extension on north (side) elevation

LOCATION: Mentone, Kings Road, St. Peter Port.

APPLICANT: Mentone Limited

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: 24/09/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 19/08/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP Architecture: 3083 - WD-01, 02,03 & 04A

Application Ref: FULL/2021/1617

Property Ref: A307500000

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.

4. Before any trial holes are dug to inspect foundations the States Archaeologists (Tel. 226518 or email museums@gov.gg) shall be informed and notified of the extent of the proposed site investigations and the opportunity shall then be afforded for them to be present on the site whilst the works are carried out.

Reason - To adequately protect potential archaeological remains.

Expiry Date: This permission will cease to have effect on 23/09/2024 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/2021/1617
Property Ref: A307500000
Valid date: 19/08/2021
Location: Mentone Kings Road St. Peter Port Guernsey GY1 1QB
Proposal: Demolish garage and erect two storey extension on north (side) elevation
Applicant: Mentone Limited

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 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).

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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.

4. Before any trial holes are dug to inspect foundations the States Archaeologists (Tel. 226518 or email museums@gov.gg) shall be informed and notified of the extent of the proposed site investigations and the opportunity shall then be afforded for them to be present on the site whilst the works are carried out.

Reason - To adequately protect potential archaeological remains.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Mentone' is an early 1800's two and a half storey dwelling with an attached garage. The property is set back from and faces west onto Kings Road, there are neighbouring properties in every direction, to the north the neighbour is attached to the garage, and to the south the dwelling is attached. The property is located in the town Main Centre Outer Area, is within a Conservation Area, and in an area of Archaeological Interest as defined in the Island Development Plan.

Relevant History:

FULL/2018/1179 - Demolish existing garage and erect a two storey extension – July 2018

FULL/2015/1696 - Demolish existing garage and erect a two storey extension – August 2015

FULL/2012/2799 - Demolish existing garage and erect a two storey extension – November 2012

FULL/2009/2243 - Demolish existing garage and erect a two storey extension – August 2009

PAPP/2006/2321 - Demolish existing garage and erect a two storey extension – August 2006

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation	☒
accords with policy	☒
within curtilage	☒
design acceptable	☒

visual amenity acceptable	☒
no material neighbour impact	☒
traffic not affected	☒

Policies considered most relevant:

GP4 Conservation Areas

GP8 Design

GP9 Sustainable Development

GP13 Householder Development

Conclusion/Brief comment:

This application is to demolish the existing attached garage and replace it with a two storey extension, housing a garage and study at ground floor level and a guest bedroom, lounge and bathroom at first floor level. The scheme is exactly the same as the previous scheme assessed by the current Island Development Plan.

As previously stated, the proposal adopts a satisfactory standard of design in terms of its scale, mass, form, materials and appearance, which is considered to respect the character and appearance of the Conservation Area. The proposal is not considered to have a detrimental effect on neighbour amenity. Consequently, the application is considered compliant with the aims and objectives of all the relevant policies.

Previously the States Archaeologist identified archaeological interest in the area, which may be further explored during site investigation and construction work. It is recommended that the same condition be attached to the decision, to protect any possible archaeology.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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: 24/09/2021

