

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: Erect single storey extension, install rooflights to south-east (rear) elevation, install garage door and replacement door to north-west (front) elevation and install windows at third floor level to north-east (side) gable.

LOCATION: Millmy, 46 Cornet Street, St. Peter Port.

APPLICANT: Mr & Mrs A Smedley

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: 24/03/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/10/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTECH Freelance Architecture: AS-21-1024-02A

Application Ref: FULL/2021/2310

Property Ref: A401450000

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 23/03/2025 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/2021/2310
Property Ref: A401450000
Valid date: 15/10/2021
Location: Millmy 46 Cornet Street St. Peter Port Guernsey GY1 1LF
Proposal: Erect single storey extension, install rooflights to south-east (rear) elevation, install garage door and replacement door to north-west (front) elevation and install windows at third floor level to north-east (side) gable.

Applicant: Mr & Mrs A Smedley

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.

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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 application site comprises a two storey end of terrace property, located to the south of Cornet Street. The property is located in a Conservation Area and Main Centre Inner Area as defined in the Island Development Plan. The dwelling adjoins a protected building to the west.

Planning permission is sought to erect a single storey extension, install rooflights to south-east (rear) elevation, install garage door and replacement door to north-west (front) elevation and install windows at third floor level to north-east (side) gable.

The application was deferred as concerns were raised with regards to the extent of glazing on the gable end of the building and its resultant effect on the character and appearance of the Conservation Area. The application has been amended to reduce the size of the window opening on the gable end to seek to address the concerns raised, and has increased the number of rooflights to the rear elevation at third floor level. The rooflights will be installed at 1500mm high above finished floor level.

Relevant History:

None pertinent to this application.

Existing Use(s):

Residential

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
GP5 Protected Buildings
GP8 Design
GP9 Sustainable Development
GP13 Householder Development
IP7 Private and Communal Parking
IP9 Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

Policy GP4 (Conservation Areas) states that proposals for development within a Conservation Area will be supported where the development conserves and, where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area.

It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting Conservation Areas that special attention shall be paid to the desirability of preserving and enhancing the character and appearance of that Area.

The alterations to the front of the dwelling are not considered to have a detrimental effect on the character or appearance of the Conservation Area, or the setting of the adjoining protected building (Policy GP5). A number of other properties within the Main Centre feature integrated garages of a similar design and therefore the scheme conserves the character and appearance of the Conservation Area for the purposes of Policy GP4. The proposed timber garage door achieves a high standard of design for the purposes of Policy GP8.

The vehicular access will not cause any significant adverse effects in respect of traffic management or highway safety issues when taking into account sightlines together with the low traffic speeds and flows along Cornet Street (IP9).

The proposed extension is considered to achieve a high standard of design for the purposes of Policy GP8 due to the scale, mass, form, materials, and detailing. The extension is will not be highly visible in the street scene, or adversely affect neighbour amenity by virtue of its relationship.

In light of the amendments secured, the proposed gable window to the east of the building is more proportionate to the building compared to the original scheme and therefore would not lead to unacceptable harm to the character or appearance of the Conservation Area. In addition, the gable window is unlikely to have any undue harm to the amenities of neighbouring residents given that the window will face east and overlook the parking area of the adjoining property.

Installing 6, large roof lights to the rear of the property is likely to result in overlooking towards the neighbouring properties to the south of the site. When taking into account the existing windows and rooflights, the proposed cill heights (as shown on the third floor cross section) and the relationship and distance to neighbouring properties, the degree of harm would not be so substantial to reasonably justify refusal.

For the purposes of Policy GP4, the proposal is considered to conserve the character and appearance of the Conservation Area.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

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.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 18/03/22

