

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 chimney, install cat slide dormer window and balcony at first floor level to west (side) elevation, erect porch to north (front) elevation and alterations to fenestration. Remove section of earthbank to create pedestrian access and external steps.

LOCATION: Tanganuyika, Les Friquets, St. Andrew.

APPLICANT: Mr A Kennedy & Miss J Webber

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: 08/04/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/11/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: The Drawing Room: 293 C2, C3, C4, C5, C6, C7.

Application Ref: FULL/2021/2453

Property Ref: K00321B000

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.Notwithstanding the information submitted, planning permission is granted only for the removal of a 1.2m wide section of the roadside earthbank adjacent to the existing garage to serve as a pedestrian access to the property currently known as Tanganuyika.

Reason - to avoid any ambiguity with the approved drawings and visualisations received as part of the application submitted.

5.Notwithstanding the information submitted, within 2 months of the vehicular access being altered to enable the creation of a pedestrian pathway to the side of the garage, the earth bank shall be made good to match as closely as possible to that of the existing bank in terms of its height, width, form and appearance.

Reason - To preserve the character and appearance of the rural lane to the north of the application site serving the premises.

Expiry Date: This permission will cease to have effect on 07/04/2025 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/2021/2453
Property Ref: K00321B000
Valid date: 08/11/2021
Location: Tanganuyika Les Friquets St. Andrew Guernsey GY6 8SJ
Proposal: Demolish chimney, install cat slide dormer window and balcony at first floor level to west (side) elevation, erect porch to north (front) elevation and alterations to fenestration. Remove section of earthbank to create pedestrian access and external steps.

Applicant: Mr A Kennedy & Miss J Webber

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).

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. Notwithstanding the information submitted, planning permission is granted only for the removal of a 1.2m wide section of the roadside earthbank adjacent to the existing garage to serve as a pedestrian access to the property currently known as Tanganuyika.

Reason - to avoid any ambiguity with the approved drawings and visualisations received as part of the application submitted.

5. Notwithstanding the information submitted, within 2 months of the vehicular access being altered to enable the creation of a pedestrian pathway to the side of the garage, the earth bank shall be made good to match as closely as possible to that of the existing bank in terms of its height, width, form and appearance.

Reason - To preserve the character and appearance of the rural lane to the north of the application site serving the premises.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises an end of terrace property located to the south of Les Friquets, St. Andrew. The site is located Outside of the Centres as defined in the Island Development Plan.

Planning permission is sought to demolish a chimney, install a catslide dormer and balcony at first floor level to the west (side) elevation, erect a porch to the north (front) elevation and alterations to fenestration (including infilling a window). The application also includes removing a section of the earth bank to the front of the property to create pedestrian access and external steps.

The application was deferred to clarify the extent of works to the roadside earth bank in light of the drawings and visualisations received. The agent has provided additional photographs and has explained in the e-mail of 25th March 2022 that the retaining wall shown to the front is for indicative purposes only and the application does not seek to remove a large section of the roadside earthbank/wall.

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:

GP1 Landscape Character and Open Land.
GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Conclusion/Brief comment:

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.

The proposal seeks to remove a small section of the earth bank and erect a retaining wall to the front of the property. Given the flexibility of the IDP and the limited size of the opening the proposal would not have a detrimental impact on the locality.

The first floor balcony to the west of the projecting gable to the rear of the property represents a good standard of design and is not considered to cause undue harm to the character or appearance of the area, or to the amenities of neighbouring residents due to its secluded location.

All other alterations are supported under the provisions of Policy GP8 and GP13.

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

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: 01/04/22

