

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 flat roof extension and create Juliet balcony to west (rear) elevation, install dormer windows and rooflights to north (side) and south (side) elevations and alterations to fenestration. Widen vehicle access.

LOCATION: Les Pierres, Amherst, St. Peter Port.

APPLICANT: Mr B Hanney & Miss K Licht

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: 17/03/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 25/11/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design drawing no's: 21-1302/PD/01 & /PD/02

Application Ref: FULL/2021/2468

Property Ref: A102600000

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, the second floor windows on the north and south elevation of the hereby approved dormer windows serving the bathroom and staircase, shall be glazed with obscure glass to a minimum of Level 5 on the Pilkington scale (or equivalent), with the lower sashes being fixed shut, and shall thereafter be retained at all times.

Reason - To secure the satisfactory appearance of the completed development and in the interests of the amenities of the adjoining residents.

5. The access pillar shall be built and finished in accordance with the approved details within 2 months of the vehicular access being widened.

Reason - To ensure a satisfactory form of development and the timely completion of the works in the interests of visual amenity and the Conservation Area.

Expiry Date: This permission will cease to have effect on 16/03/2025 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/2021/2468
Property Ref: A102600000
Valid date: 25/11/2021
Location: Les Pierres Amherst St. Peter Port Guernsey GY1 2DW
Proposal: Erect flat roof extension and create Juliet balcony to west (rear) elevation, install dormer windows and rooflights to north (side) and south (side) elevations and alterations to fenestration. Widen vehicle access.
Applicant: Mr B Hanney & Miss K Licht

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, the second floor windows on the north and south elevation of the hereby approved dormer windows serving the

bathroom and staircase, shall be glazed with obscure glass to a minimum of Level 5 on the Pilkington scale (or equivalent), with the lower sashes being fixed shut, and shall thereafter be retained at all times.

Reason - To secure the satisfactory appearance of the completed development and in the interests of the amenities of the adjoining residents.

5. The access pillar shall be built and finished in accordance with the approved details within 2 months of the vehicular access being widened.

Reason - To ensure a satisfactory form of development and the timely completion of the works in the interests of visual amenity and the Conservation Area.

OFFICER'S REPORT

Brief Description of the site:

The site comprises a detached, two storey dwelling-house located to the west of Amherst, St. Peter Port. The property is located in a Main Centre Outer Area and Conservation Area as defined in the Island Development Plan.

Planning permission is sought to erect a flat roof extension and create Juliet balcony to west (rear) elevation, install dormer windows and roof lights to the north (side) and south (side) elevations and alter the fenestration. Permission is also sought to widen the vehicular access.

Relevant History:

FULL/2019/0159	Replacement doors and windows	Granted
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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
GP4 Conservation Areas

GP8 Design
GP9 Sustainable development
GP13 Householder Development
IP9 Highway Safety, Accessibility and Capacity

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 proposed extension adopts good standard of design by virtue of its scale, form, massing, siting and materials. The north elevation of the extension will face towards the rear garden of neighbouring property, although due to the height of the boundary wall the extent of overlooking is not likely to be substantial.

The installation of well designed, proportionate dormer windows which respect the traditional and ornate characteristics of this property and its sensitive surroundings are supported under the provisions of Policy GP4, GP8 and GP13. The windows are to be finished in obscure glazing to respect the amenities of neighbouring residents.

The Juliet balcony to the rear also raises no significant overlooking concerns due to the distance to the west boundary, and oblique views to the north and south of the application site.

Whilst the installation of roof lights will result in overlooking towards neighbouring properties to the north and south of the site given their height above finished floor level, the degree of overlooking is not considered to be significant to rebut the general support in favour of householder development. This conclusion has been reached when taking into account the position of the roof lights and their relationship to the respective neighbouring properties, two of which face directly towards the rear chimneys of the property. The change in height of the property and the neighbouring properties together with the close proximity to neighbouring boundaries has also been factored when considering the impact on neighbour amenity. Consequently, overlooking is likely to be limited to oblique angles which is not sufficient to justify refusal.

The proposed width of the vehicular access is similar to that observed in the surrounding area and does not represent any undue harm to the Conservation Area.

Overall, the proposal will not have a detrimental impact on the character and appearance of the Conservation Area, the surrounding built environment, visual amenity, or the amenities of neighbouring residents.

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: 14/03/22

