

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: Variation to previously approved plans to demolish dwelling and erect two dwellings - Raise roof ridge height, omit rooflights and install dormer windows, reposition roof lantern and alterations to fenestration to north (rear) elevation, alterations to roadside wall and pedestrian access.

LOCATION: 13 Pushang, Le Bouet, St. Peter Port.

APPLICANT: Commercial Services Ltd

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: 23/02/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/01/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Mark Frampton & Co - 2021 / 603 / 03B

Application Ref: FULL/2022/0008

Property Ref: A105190000

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 on or before 02/09/2024.

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. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 03/09/2021, issued under planning application reference FULL/2021/1644, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

Expiry Date: This permission will cease to have effect on 02/09/2024 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/2022/0008
Property Ref: A105190000
Valid date: 10/01/2022
Location: 13 Pushang Le Bouet St. Peter Port Guernsey GY1 2AZ
Proposal: Variation to previously approved plans to demolish dwelling and erect two dwellings - Raise roof ridge height, omit rooflights and install dormer windows, reposition roof lantern and alterations to fenestration to north (rear) elevation, alterations to roadside wall and pedestrian access.
Applicant: Commercial Services Ltd

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 on or before 02/09/2024.

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. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the

permission dated 03/09/2021, issued under planning application reference FULL/2021/1644, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Pushang' is a mid-19th century mid-terrace two and a half storey dwelling, which is set slightly back from and faces south onto Le Bouet. The adjoining neighbours are to the east and west, with other residential properties to the south across the road and a commercial business to the north.

The property is located in a Main Centre Outer Area and is within a Conservation Area as defined in the Island Development Plan (IDP).

Relevant History:

FULL/2021/1644 – Demolish dwelling and erect two dwellings – Approved September 2021

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

Conclusion/Brief comment:

This application is a variation to previously approved plans to demolish the existing dwelling and erect two new dwellings. The variation is to raise the roof ridge height, omit 2x rear rooflights and install rear dormer windows, reposition the roof lantern serving the single-storey extension, alterations to fenestration to north (rear)

elevation and alterations to the roadside wall in relation to the formation of pedestrian access.

The alterations to the roadside wall to retain the existing pedestrian access and revise the siting of the second access is considered acceptable as the site will become two properties each with their own access. The removed section of wall is minimal and the remaining will still be able to contribute to the special quality of the surrounding conservation area.

Repositioning the roof lantern is also considered acceptable.

The alterations to the rear fenestration, is to replace opaque glazing with clear glazing in the stairwells. The previously approved plans had showed opaque glazing to both the first-floor windows, one of which is a bathroom, however, the opaque glazing was not a condition required by the Authority. The stairwell window becoming clear glazing is considered acceptable as it will not result in an unacceptable degree of overlooking of adjoining properties/gardens.

The only change to the front façade of the building would be the raised ridgeline, but it is not considered to impact on the special character of the surrounding conservation area. The changes to the rear are also not considered to affect the conservation area as they cannot be seen from any public vantage points.

The property is sited within the St Peter Port Main Centre Outer Area, where there is a higher density of residential buildings and where terrace buildings all have a degree of overlooking each other's back gardens. Therefore, the addition of dormer windows in this location is not considered to cause an unacceptable degree of overlooking.

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: 21/02/2022

