

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 plan to erect two new dwellings to east of site. Alter and convert barn to two dwellings; (protected buildings) - Increase size of building and omit rooflights (units 3 & 4) and internal alterations (units 1 & 2) (protected building). (retrospective)

LOCATION: La Vrangue, La Vrangue, St. Peter Port.

APPLICANT: Balmoral Properties 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: 14/02/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/01/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design drawing no's: 13-557-PDP2/01C, 02B & 04C

Application Ref: FULL/2022/0030

Property Ref: A101430000&A101440000

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 31/10/2022.

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 01/11/2019, issued under planning application reference FULL/2017/2216, 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 31/10/2022 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/2022/0030
Property Ref: A101430000&A101440000
Valid date: 11/01/2022
Location: La Vrangue La Vrangue St. Peter Port Guernsey GY1 2EZ
Proposal: Variation to previously approved plan to erect two new dwellings to east of site. Alter and convert barn to two dwellings; (protected buildings) - Increase size of building and omit rooflights (units 3 & 4) and internal alterations (units 1 & 2) (protected building). (retrospective)

Applicant: Balmoral Properties 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 on or before 31/10/2022.

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 01/11/2019, issued under planning application reference FULL/2017/2216, 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:

La Vrangue is a development site situated to the north of La Grangue and opposite the junction with Guelles Road. The development is substantially complete and the application relates to various amendments to the approved development, specifically in relation to units 1, 2, 3 and 4.

The footprint of units 3 and 4 is to be increased, the rooflight in the front/south roofslope and rear/south roofslope of both units 3 and 4 are shown to be omitted and the patio/terrace to the rear/north of these dwellings is shown to be enlarged. With regard to units 1 and 2, a Protected Building, the internal layout has been altered. The application is retrospective because the work has already been undertaken.

The application has been accompanied by a Sustainability Statement and a Statement of Significance.

The site is located in a Main Centre Outer Area and Archaeological Area as designed in the Island Development Plan. It forms part of a site allocated for housing in the Island Development Plan and buildings on the site are Protected.

Relevant History:

FULL/2017/2216 - Erect two new dwellings with associated gardens and parking to east of site; Alter and convert barn to two dwellings with parking to north-west of site; Alter driveway and create parking area; Undertake landscaping. (Protected Buildings)(Revised scheme) – granted

This approved scheme included one rooflight to the front and rear of unit 3 (conservation style) and one to the front and two to the rear of unit 4.

Existing Use(s):

01 dwellinghouse

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

x
x
x
x

visual amenity acceptable
no material neighbour impact
traffic not affected

x
x
x

Policies considered most relevant:

MC2	Housing in Main Centres and Main Centre Outer Areas
GP5	Protected Buildings
GP8	Design
GP9	Sustainable Development

Conclusion/Brief comment:

The proposals relate to alterations to a previously approved housing development scheme, the principle of which will not be revisited as this application relates to changes to the previously approved scheme only.

The proposed alterations to slightly enlarge the footprint of units 3 and 4 and to omit all rooflights from the front and rear roofslopes of these buildings will not result in unacceptable harm to residential amenity with regard to overshadowing or overlooking. The buildings are screened from La Vrangue by a high wall and will not have a detrimental impact on the character and appearance of the area.

The internal works to the Protected Building (units 1 and 2) relate to the repositioning of new partition walls which alters the internal layout and room sizes in the interests of the future living environment of occupiers. The revised siting of the new internal walls with associated changes to internal layout are not significant. The works will not result in harm to the special interest of the Protected Building and are considered acceptable.

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.

In view of the above it is recommended planning permission is granted for the proposed variation works.

Recommendation:

Grant with Conditions

x

Date: 11 February 2022

