

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 outbuilding to west boundary, alter retaining wall and install railings to east boundary, demolish section of roadside wall and alter ground levels to create vehicular access and parking area (retrospective).

LOCATION: Panorama, The Strand, St. Peter Port.

APPLICANT: Mr J Heaume

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: 19/05/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/03/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne 10584 Invalid Planning Application response (Revision A - Submission) pages 3, 5-9.

Application Ref: FULL/2022/0178

Property Ref: A402180000

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 18/05/2025 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/2022/0178
Property Ref: A402180000
Valid date: 04/03/2022
Location: Panorama The Strand St. Peter Port Guernsey GY1 1NN
Proposal: Erect outbuilding to west boundary, alter retaining wall and install railings to east boundary, demolish section of roadside wall and alter ground levels to create vehicular access and parking area (retrospective).
Applicant: Mr J Heaume

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.

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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:

Panorama Cottage stands in an elevated position above South Esplanade on the eastern side of The Strand where it appears as a single storey, end of terrace dwelling. The building has two further lower storeys of accommodation on the seaward side which provide expansive views from the rear, east-facing windows across to Havelet Bay, Castle Cornet and beyond. The scale of the property and its associated garden is evident from the southern approach to the property, including large supporting 'buttress' walls. The site is immediately west of and above Helvetica Court.

The site is located within a Main Centre and a Conservation Area as defined by the Island Development Plan.

Relevant History:

FULL/2019/2322 - Increase height of retaining walls, install railings to east boundary, demolish section of roadside wall and alter ground levels to create vehicular access and parking area – Withdrawn January 2020.

FULL/2019/0122 – Install rooflights in front west roof slope (retrospective) – Approved March 2019.

FULL/2018/2297 - Remove garden hedging along east side boundary and install replacement railings – Approved October 2018.

FULL/2018/0061 - Variation to plans previously approved to demolish and rebuild dwelling - extend balconies at ground, first and second floor levels, install new window in south gable wall and alter style of two windows on east elevation – Approved March 2018.

FULL/2017/1592 – Demolish and rebuild dwelling – Approved October 2017.

Existing Use(s):

Residential use class 1: dwelling house.

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:

GP4: Conservation Area

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

IP9: Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

This is a retrospective application to alter the retaining wall and install railings along the east boundary, to demolish a section of roadside boundary wall and alter ground levels to create vehicular access and parking area. The scheme also relates to the erection of an outbuilding on the west boundary, south of the dwelling.

The property is the end dwelling of a row of four buildings which face west onto the Strand. The east elevation and the high retaining granite wall which runs along the western boundary are very prominent from the coast because they are part of the hillside town. The hillside town is formed by a collection of buildings and open spaces rising from the coast and harbour up the stream valleys and on to the plateau above. This has produced an exceptionally high quality townscape which is best viewed from the sea/coastline looking west.

The eastern granite wall is not as high as the western boundary and therefore not as prominent, and it is not so visible from as many locations as the rest of the property and western wall.

The works are considered to have been carried out to a high standard of design, using materials which complement the existing materials. There are not thought to be any impacts on neighbour amenity.

The changes to the wall and the addition of railings is not considered to have any detrimental impacts on the special character and appearance of the conservation area.

Traffic & Highways Service (THS) have commented that although the finished 'drive' has bad sightlines and does not meet any of the technical standards, The Strand has low vehicle movements because it is not a road open to any vehicle. Any vehicles driving along the road should have permits to do so. Therefore, due to the extremely low amount of traffic on The Strand, THS have no objections to the scheme.

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: 12/05/2022

