

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 2 storey extension to north (side) elevation, including creation of flat (residential use class 2) at 1st floor level. Widen vehicle access.

LOCATION: Clydach, Guelles Road, St. Peter Port.

APPLICANT: Mr W Conlon

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: 26/05/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/02/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Martel Design drawing no: 21-1043 03C.

Application Ref: FULL/2022/0232

Property Ref: A102100000

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.The 1.8m obscure glass balustrade to the south side of the external staircase half landing hereby approved, shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent) and shall be installed prior to the staircase being brought into use. The balustrade shall thereafter be retained at all times.

Reason: To minimise the effect of the development on the privacy and amenities of nearby residents.

5.The first floor window in the north elevation shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent), which shall thereafter be retained at all times. No changes shall be made to this window, nor shall any additional windows be inserted in this elevation.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

6.The private amenity area for the first floor flat shall be formed in accordance with the approved plans prior to occupation of that flat.

Reason - To ensure appropriate provision of amenity space for the new unit.

Expiry Date: This permission will cease to have effect on 25/05/2025 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/2022/0232
Property Ref: A102100000
Valid date: 23/02/2022
Location: Clydach Guelles Road St. Peter Port Guernsey GY1 1BD
Proposal: Erect 2 storey extension to north (side) elevation, including creation of flat (residential use class 2) at 1st floor level. Widen vehicle access.

Applicant: Mr W Conlon

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. The 1.8m obscure glass balustrade to the south side of the external staircase half landing hereby approved, shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent) and shall be installed prior to the staircase being brought into use. The balustrade shall thereafter be retained at all times.

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Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

6. The private amenity area for the first floor flat shall be formed in accordance with the approved plans prior to occupation of that flat.

Reason - To ensure appropriate provision of amenity space for the new unit.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Clydach' is a two storey pre 1900 detached dwelling which is set back from and faces west onto Guelles Road. To the north at a lower level is a block of flats, to the east is a commercial warehouse, to the south is another detached dwelling and to the west across the road is a small housing estate. The property is located in the St Peter Port Main Centre Outer Area as defined in the Island Development Plan.

Relevant History:

FULL/2019/0639 - Remove gable attic window and install double doors with juliet balcony on rear (east) of dwelling – Approved May 2019.

FULL/2019/1760 - Install glazed gable with Juliet balcony to east (rear) elevation, install rooflights and replace lean-to roof to north elevation – Approved November 2019.

FULL/2019/2460 – Install flue to south roofslope (Retrospective) – Approved February 2020.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

MC2: Housing in Main Centres and Main Centre Outer Areas

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

IP7: Private and Communal Car Parking

IP9: Highway Safety, Accessibility and Capacity.

Conclusion/Brief comment:

This application is to replace an existing single storey lean-to and erect a two storey extension along the north side of the property, creating accommodation ancillary to the existing house at ground floor and an independent flat at first floor. The proposal also incorporates widening of the vehicular access.

There is scope within the policies of the IDP to create a new one bedroom flat on the site as it is located within the St Peter Port Main Centre Outer Area, complying with policy MC2.

Initially the proposal had a two storey flat roof extension with a front façade parapet, which was considered inappropriate for the building and looked bulky. The application was deferred to allow for a redesign.

The amended drawings now show a pitched roof extension, which sits comfortably next to the original dwelling and although the extension is the same size as the previous design, the pitched roof helps to diminish the bulk.

The proposals now achieve a good standard of design, using materials which complement the existing materials. The extension will provide adequate levels of sunshine and daylight, and give the occupiers of the dwelling more flexible and adaptable accommodation at ground floor level.

Access to the flat will be at the back of the property via a covered walkway and external staircase, which is not ideal, but is a common way to reach a property within the town area. However, once inside the flat, it is all on one level, which is somewhat accessible.

The scale and massing of the new extension is not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it have any impact on either of the immediate neighbours.

There will be some overlooking from the external staircase of the independent flat, but the glass balustrade up to the first floor flat has a privacy screen added to the half way landing to prevent any overlooking into the main private area for the house and it will protect the amenity space of the neighbour beyond. The door landing is 10m away from the property boundary and so overlooking into the neighbours garden is more limited.

The access to the flat will pass by the ground floor windows of the main house, but the windows do not serve key habitable rooms within the house and so privacy concerns are not significant.

There is one first floor window on the north elevation, the drawing shows them to be obscure glazing. A condition can be added to ensure this occurs.

The first floor flat has its own section of garden fenced in the back, there is plenty of room at ground level under the overhang to store bicycles and a parking space has been allocated at the front of the property, along with a bin store and recycling area.

Widening the vehicular access is not considered to be a concern, but the inability to turn around on site should be noted, however, the parking is an existing situation and, in this location, close to the town centre and public transport, additional parking is not a requirement of policy.

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: 24/05/2022

