

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 detached garage. Raise ridge height to create accommodation at first floor level, erect single storey flat roof extension to west (side) and south (rear) elevations, install external insulating render system, alterations to fenestration and widen vehicular access - remove earthbank, erect roadside wall and widen access (retrospective).

LOCATION: The Laurels, Rue Des Grons, St. Martin.

APPLICANT: Mr & Mrs A Flouquet

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: 10/11/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/06/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 6113/C/1a

Application Ref: FULL/2022/1054

Property Ref: J01090A000

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 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.

3.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 26/05/2021, issued under planning application reference FULL/2021/0325, 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 25/05/2024 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/2022/1054
Property Ref: J01090A000
Valid date: 13/06/2022
Location: The Laurels Rue Des Grons St. Martin Guernsey GY4 6JS
Proposal: Variation to previously approved plans to demolish detached garage. Raise ridge height to create accommodation at first floor level, erect single storey flat roof extension to west (side) and south (rear) elevations, install external insulating render system, alterations to fenestration and widen vehicular access - remove earthbank, erect roadside wall and widen access (retrospective).

Applicant: Mr & Mrs A Flouquet

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 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.

3. 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 26/05/2021, issued under planning application reference FULL/2021/0325, 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 application site comprises a detached bungalow located to the south of Rue Des Grons, St. Martin. The property is located Outside of the Centres as defined in the Island Development Plan. The surrounding area is characterised by a mix of building styles, sizes and types, mostly residential.

Planning permission was granted (FULL/2021/0325) to demolish an existing detached garage, raise the ridge height to create habitable accommodation at first floor level, erect a single storey flat roof extension to the west (side) and south (rear) elevation, install an external insulating render system, alter the fenestration and widen the vehicular access.

Planning permission is now sought to vary the permission (FULL/2021/0325) to retrospectively demolish the earth bank, erect a roadside wall and to widen the access. The width of the access has increased to 4600mm.

The application was deferred in order to clarify the position of the gate pillars. In response, the agent has amended the drawings and has accurately shown the position of the pillars erected on site and has omitted the gate.

Relevant History:

FULL/2021/2246	Variations to previously approved plans to raise roof ridge height to create accommodation at 1st floor level, erect single storey flat roof extension to west (side) and south (rear) elevations, install external insulating render system, alterations to fenestration - increase floor area at 1st floor level to west (side) and to ground floor south (rear) extension.	Granted
FULL/2021/0325	Demolish detached garage. Raise roof ridge height to create accommodation at 1st floor level, erect single storey flat roof extension to west (side) and south (rear) elevations, install external insulating render system, alterations to fenestration and widen vehicular access.	Granted

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:

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.

Policy GP13 (Householder Development) states that proposals for the alteration and/or extension of residential properties within the residential curtilage, will be supported where there are no significant adverse effects on the amenities of neighbouring properties; the design, scale, mass and form would not detract from the open character of open locations; and they do not affect the special interest of Conservation Area, Area of Biodiversity Importance, protected building or protected monument.

The area is comprised of a mix of roadside walls and earth banks. Whilst the loss of the earth bank would have an adverse effect on the character and appearance of the area, the degree of harm would not be so substantial to justify refusal, especially where there is a mix of different boundary types in the locality.

The height of the wall, material and construction is appropriately designed (Policy GP8) and would not affect visibility splays from the entrance (Policy IP9). The omission of the approved gate is a welcomed addition to the scheme as it will improve highway safety and traffic management as it will prevent vehicles temporarily stopping on the road whilst the gate opens.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

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: 04/11/22