

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: Demolish extension, erect 1½ storey and single storey extension, remove hedge and erect fence to west (side) elevation and single storey extension to south (rear) elevation.

LOCATION: L'Etacq Cottage, Rue Des Goddards, Castel.

APPLICANT: Mr O Patch & Miss A Lihou

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: 19/08/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 17/05/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Steve De Vial & Company Ltd - 2022-758-1A & 2A , block layout plan

Application Ref: FULL/2022/1091

Property Ref: D011450000

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 boundary hedge shown on the approved Ground Floor Plan and Site Location/Block Layout Plan shall be planted in the first planting season following the removal of the existing hedge to the front of the house. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - In the interests of visual amenity.

5.The external face of the garage hereby approved shall be finished in smooth render within 2 months of its construction.

Reason - In the interests of visual amenity and to ensure that the external face of the wall is completed within an acceptable timeframe.

6.For the avoidance of doubt, the vehicular access width following the works to the front of the property, including the replacement hedge as part of this development, shall not exceed 4500mm wide.

Reason - In the interests of visual amenity and to ensure that the access width does not become larger as a result of the development.

Expiry Date: This permission will cease to have effect on 18/08/2025 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/2022/1091
Property Ref: D011450000
Valid date: 17/05/2022
Location: L'Etacq Cottage Rue Des Goddards Castel Guernsey GY5 7BQ
Proposal: Demolish extension, erect 1½ storey and single storey extension, remove hedge and erect fence to west (side) elevation and single storey extension to south (rear) elevation.

Applicant: Mr O Patch & Miss A Lihou

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 boundary hedge shown on the approved Ground Floor Plan and Site

Location/Block Layout Plan shall be planted in the first planting season following the removal of the existing hedge to the front of the house. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - In the interests of visual amenity.

5. The external face of the garage hereby approved shall be finished in smooth render within 2 months of its construction.

Reason - In the interests of visual amenity and to ensure that the external face of the wall is completed within an acceptable timeframe.

6. For the avoidance of doubt, the vehicular access width following the works to the front of the property, including the replacement hedge as part of this development, shall not exceed 4500mm wide.

Reason - In the interests of visual amenity and to ensure that the access width does not become larger as a result of the development.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is sought to demolish an extension, erect 1½ storey and single storey extension and remove a hedge and erect a fence to the west (side) elevation, and a single storey extension to the south (rear) elevation.

The application site comprises a pre-1900, semi-detached property and is located Outside of the Centres as defined in the Island Development Plan.

The application was deferred as the extent of the hedge to be removed to the front of the property was ambiguous. The agent has clarified the extent of the hedge to be removed as part of the revised scheme and specified the species of the replacement hedge.

Relevant History:

FULL/2021/0142	Erect porch to north (front) elevation. Remove earth bank, erect wall and widen vehicular access.	Granted
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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

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.

The proposal will seek to create a traditional Guernsey style cottage with symmetrical ground floor and first floor fenestration, and finished in 'olde worlde' render. Despite the increase in mass, the property will provide a sense of balance and proportionality.

Overall, the proposal adopts a good standard of design by virtue of its scale, form, mass, siting and materials.

The development is not considered to have a detrimental impact on the character of the area, visual amenity, or the amenities of neighbouring residents.

The application is acceptable subject to appropriate conditions being attached to the decision in respect of the replacement hedge to the front of the property, ensuring that the external face of the boundary wall serving the garage is to be completed, and that the vehicular access does not become larger than that approved as part of application FULL/2021/0142.

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: 17/08/2022

