

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: Create new vehicle access to east boundary, erect 1st floor extension to north, erect single storey extension to east and erect wall and fencing to east roadside boundary.

LOCATION: Yoorooga, 16 Les Ozouets Estate, Les Ozouets Road, St. Peter Port.

APPLICANT: Mr & Mrs Toms

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: 10/10/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/07/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Evans Architecture: 2203/01.01, 2203/03. 01B, 02A & 03A.

Application Ref: FULL/2022/1264

Property Ref: A210690016

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 lower window pane of the first floor window in the west elevation serving the bathroom shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times.

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

Expiry Date: This permission will cease to have effect on 09/10/2025 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/2022/1264
Property Ref: A210690016
Valid date: 04/07/2022
Location: Yoorooga 16 Les Ozouets Estate Les Ozouets Road St. Peter Port Guernsey GY1 1FT
Proposal: Create new vehicle access to east boundary, erect 1st floor extension to north, erect single storey extension to east and erect wall and fencing to east roadside boundary.
Applicant: Mr & Mrs Toms

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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.

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

INFORMATIVES

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Yoorooga' is a typical 1970's two storey semi-detached dwelling, which is on a corner plot with Les Ozouets Clos access road approaching from the northeast, runs along the east boundary and round along the south boundary. The other semi-detached dwelling is attached to the west and a douit and open field to the north. The property is located in the St Peter Port Main Centre Outer Area as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

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:

This application is to move the vehicular access from the middle of the eastern boundary further south, to enable the front garden to be used as a parking area. Erect a first floor extension over the existing garage on the north elevation and a single storey extension on the east elevation, erect a low wall and 1.8m fencing along the eastern boundary up to the vehicular entrance.

The proposals achieve a good standard of design, using materials which complement the existing materials. The extensions will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation.

The scale and massing of the new extensions are not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will they have any impact on any of the immediate neighbours. The two new first floor windows in the west and north elevations have opaque glazing and top hung openings above 1.7m, hence preventing any possible overlooking.

Moving the vehicular entrance onto the site southward is considered appropriate, along with enough parking at the front of the property including the ability to turn around on site. Existing low boundary walls around the parking area aid traffic sight lines and because the road is a clos road the traffic numbers are limited, therefore the new vehicular entrance is supported by IP9.

The width of the new opening, although wider than generally accepted, is an improvement to the existing, which is an opening of over 9.5m. Therefore the new vehicular opening is considered acceptable in this instance.

Generally 1.8m high fencing located forward of a dwelling is not considered appropriate, however, it already exists in this location and even though it does not appear to have permission, it is likely that it has been in place for over four years and therefore is not enforceable. This application is seeking to extend the run of the fence a further 7.7m and to increase the overall height of the boundary with a low wall and fence. In this case the property is located in a clos away from the main road and the proposed wall and fence to retain the owner's private amenity space would not cause sufficient harm to the appearance of the surroundings and the character and amenity of the locality to outweigh the support and flexibility for extensions and alterations to existing residential properties as set out in Policy GP13.

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: 10/10/2022