

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 two storey extension, captains dormer, single storey glazed extension, solar panels & shed to south-east (rear) elevation and captains dormer to north west elevation.

LOCATION: Tranquille, 38 Domaine de Beauport, St. Peter Port.

APPLICANT: Mr M Peacock

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: 29/09/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 21/06/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Turnstone Architecture Ltd - 234-01 REV P3, 234-02 Rev P3, 234-03 Rev P3, 234-04 Rev P3, 234-05 Rev P3, 234-06 Rev P3, 234-07 Rev P3

Application Ref: FULL/2022/1319

Property Ref: A40671A038

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 privacy screens to the north east and south west elevations of the balcony, and the glazing in the north east and south west elevations of the extension up to 1.75 metres above finished first floor level 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.

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

5.The opaque privacy screens hereby approved on the north-east and south-west elevation of the first floor balcony shall be 1.1m and 1.7m high respectively, above finished floor level and shall be installed prior to the balcony being brought into use for the first time and shall remain in perpetuity.

Reason - To protect the amenities of neighbouring residents.

6.The planter within the terrace area hereby approved shall remain in perpetuity and shall not be removed or reduced in size at any time.

Reason - To protect the privacy of the neighbouring property to the north east of the application site in relation to overlooking, in order to accord with GP8 of the Island Development Plan.

7.The landscaping scheme shall be fully completed in the first planting season following the balcony being brought into use for the first time. Any plants which die,

are removed or become seriously damaged or diseased, within 5 years of planting shall be replaced in the next planting season with others of similar size and species to those planted unless the Authority gives written approval to any variation.

Reason - To secure the satisfactory appearance of the completed development and to ensure the amenities of neighbouring residents are protected.

8.The side (north-east) window of the Captain's dormer hereby approved to the rear roofslope 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.

Reason - To protect the amenities of neighbouring residents.

Expiry Date: This permission will cease to have effect on 28/09/2025 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/2022/1319
Property Ref: A40671A038
Valid date: 21/06/2022
Location: Tranquille 38 Domaine de Beauport St. Peter Port Guernsey
GY1 1DL
Proposal: Erect two storey extension, captains dormer, single storey
glazed extension, solar panels & shed to south-east (rear)
elevation and captains dormer to north west elevation.
Applicant: Mr M Peacock

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 privacy screens to the north east and south west elevations of the balcony, and the glazing in the north east and south west elevations of the extension up to 1.75 metres above finished first floor level 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.

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

5. The opaque privacy screens hereby approved on the north-east and south-west elevation of the first floor balcony shall be 1.1m and 1.7m high respectively, above finished floor level and shall be installed prior to the balcony being brought into use for the first time and shall remain in perpetuity.

Reason - To protect the amenities of neighbouring residents.

6. The planter within the terrace area hereby approved shall remain in perpetuity and shall not be removed or reduced in size at any time.

Reason - To protect the privacy of the neighbouring property to the north east of the application site in relation to overlooking, in order to accord with GP8 of the Island Development Plan.

7. The landscaping scheme shall be fully completed in the first planting season following the balcony being brought into use for the first time. Any plants which die, are removed or become seriously damaged or diseased, within 5 years of planting shall be replaced in the next planting season with others of similar size and species to those planted unless the Authority gives written approval to any variation.

Reason - To secure the satisfactory appearance of the completed development and to ensure the amenities of neighbouring residents are protected.

8. The side (north-east) window of the Captain's dormer hereby approved to the rear roofslope 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.

Reason - To protect the amenities of neighbouring residents.

OFFICER'S REPORT

Site Description:

The application site comprises a two-and-a-half storey dwelling situated within the St. Peter Port Conservation Area and in the Main Centre Inner Area as defined in the Island Development Plan. The end of terrace property, forms part of a late C20th

housing development which is located on the ridge line of the hill that is part of Hauteville. The site is therefore prominent in many views from the harbour, marinas and quayside as well as from the north side of the Charroterie Valley. Parking provision exists to the front, with a hard surfaced garden and two allocated parking spaces to the rear, detached from the property.

A number of other properties in Domaine De Beauport have been extended and altered over the years, including first floor balconies.

The site has been granted planning permission over recent years to extend the dwelling at first floor level and create a balcony to the rear, and install captain's dormers and roof-lights to the front and rear of the property, amongst other alterations to the dwelling.

The original application (FULL/2019/0790) is set to expire later this year and permission is therefore sought to consolidate all of the proposals and renew the respective permissions under one application.

The drawings also note the installation of a hot tub and the removal of a tree in the south-west corner of the site, neither of which amount to development.

Relevant History:

FULL/2021/0714	Erect porch on south east (rear) elevation, extend boiler room/store on south west (side) elevation, install rooflight to north west (front) elevation and install solar panels to dwelling and shed.	Granted
FULL/2020/0948	Install captain's dormer window to rear elevation.	Granted
FULL/2020/0368	Variation to plans previously approved to install captain's dormer window to north-west (front) elevation - Alter existing dormer window and captain dormer window to front.	Granted
FULL/2019/0790	Erect pitched roof extension with balcony at 1st floor to south-east (rear) elevation, install captains dormer window to north-west (front) elevation and alteration to fenestration. Demolish existing and erect shed and demolish section of boundary wall to widen access and erect gate.	Granted

Existing Use(s):

Residential

Brief Description of Development:

Planning permission is sought to erect a first floor extension and balcony, install a Captain's dormer, solar panels & shed to south-east (rear) elevation, and install a Captain's dormer to the north-west (front) elevation.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

GP4 Conservation Areas
GP8 Design
GP9 Sustainable development
GP13 Householder Development
IP7 Private and communal parking

Representations:

The Authority has received three letters of representation from three parties objecting to the proposal. Grounds for objection have been expressed as part of the former applications FULL/2021/0714, FULL/2020/0948, FULL/2020/0368, FULL/2019/0790 and include the following issues:

- Impact on character and appearance of the surrounding area due to unsightly development.
- Overlooking, impact on privacy.
- Overshadowing.
- Effect on residents of the estate during and after construction including effect on emergency vehicles, residents accessing their properties, effect on a supply box for the estate.
- Inclusion of a hot tub and removal of a tree.
- Comments made under former planning applications.

Consultations:

None generated.

Summary of Issues:

- Whether the design, scale, mass, siting, form and materials of the development is acceptable.
- Whether the proposal would have any detrimental impacts on the character and appearance of the Conservation Area.
- Whether the proposal would have a significant impact on the amenities afforded to the occupiers of neighbouring properties.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

The application consolidates all of the proposals set out in the former permissions to create a single planning application. The proposed works set out under this application are directly taken from that previously approved.

Given that there has been no change in planning policy or material planning considerations since determining the former applications, and that no new alterations or extensions have been proposed as part of this application, there are no planning grounds to raise new concerns, or to justify refusal. The cumulative effect of all of the proposals combined has also been taken into account.

The comments made by the representations have been taken into account as part of this application, although without any substantial change to the development would not give reason to alter the decision. In addition, disturbance to neighbouring residents as a result of building works associated with the development is not a material planning consideration and any application approved would not supersede any civil legal rights afforded to neighbouring residents.

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.

Date: 15/09/22