

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 chimney (retrospective), demolish existing flue, erect single storey extension and raised decking area to north (rear) elevation.

LOCATION: Tangletrees, Godaines Avenue, George Road, St. Peter Port.

APPLICANT: Mr & Mrs Chamberlain

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 19/08/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Evans Architecture: 2207 - 01.01, 03.01, 03.02 & 03.03

Application Ref: FULL/2022/1616

Property Ref: A408280000

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.

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/2022/1616
Property Ref: A408280000
Valid date: 19/08/2022
Location: Tangletrees Godaines Avenue George Road St. Peter Port
Guernsey GY1 1BE
Proposal: Demolish chimney (retrospective), demolish existing flue, erect
single storey extension and raised decking area to north (rear)
elevation.
Applicant: Mr & Mrs Chamberlain

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).

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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.

OFFICER'S REPORT

Brief Description:

Tangletrees is a detached one and a half-storey dwelling situated on the corner of George Road and Godaines Avenue. The property occupies an elevated site with a wall, earthbank and hedgerow along the east site boundary. The east side of George Road is characterised by mature trees and hedgerows which provides relief to the high retaining walls along the road edge. Two windows, one obscure glazed, exist in the side elevation of the adjoining property facing the application site.

The application relates to the demolition of a chimney stack (retrospective) and removal of existing raised decking in order to erect a single-storey flat and mono-pitched roof extension incorporating a flue to the rear of the property and the installation of raised decking to its north.

The site is located in the Main Centre Outer Area. A Conservation Area is situated to the east and north of the site.

Relevant History:

FULL/2018/2439 - Remove hedge, fell tree, erect a 1.8m high fence and plant replacement hedge. (east boundary) – granted

Existing Use(s):

01 dwelling house

Assessment:

no representation
accords with policy
within curtilage
design acceptable



visual amenity acceptable
no material neighbour impact
traffic not affected



Conclusion/Brief comment:

The proposed extensions and associated terrace to the rear of Tangletrees represent a good standard of design that will respect the character of the local built environment. The introduction of a flat roof extension adjacent to the neighbouring western boundary will limit the potential for overshadowing and loss of light to occur. The extension will not result in an unacceptable loss of light to the two small ground floor windows of the adjoining property facing the site.

The use of a mono-pitched roof when viewed from the east, at the lower level in George Road, will mask the flat roof element and although higher, this aspect of the development will not result in overshadowing to any neighbouring properties.

Although a full height fixed window with high level side light is proposed in the west elevation of the extension, much of this will be above head height. Whilst the perception of overlooking may increase as a result of the proposal existing and exempt boundary treatments will manage the potential for overlooking to the west.

The scheme, introducing ground floor WC and bedroom will offer more accessible, flexible and adaptable accommodation that can respond to the needs of occupiers over time. The scheme has also been designed to provide occupiers with adequate sunlight and daylight in accordance with the aims of the IDP.

The loss of the chimney will materially alter the appearance of the property however its loss will not have an unacceptable adverse impact on the character and appearance of the locality.

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.

In view of the above it is recommended permission is granted for the proposed development.

Recommendation:

Grant with Conditions



Date: 07 October 2022