

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: Variations to previously approved plans to erect dwelling with associated parking and landscaping (revised scheme) - increase floor area to south-east and alterations to fenestration and rooflights.

LOCATION: Site at Les Picquerel, La Route Du Picquerel, St. Sampson.

APPLICANT: Commercial Services Ltd

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: 28/11/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/10/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: MAT 22-244- 03A & 04A.

Application Ref: FULL/2022/1846

Property Ref: B01834B000

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 on or before 13/01/2025.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2021/1918.

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 permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 14/01/2022, issued under planning application reference FULL/2021/1918, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

5. Notwithstanding the submitted details, the eaves of the rooflights in the south-east and north-west facing elevations hereby approved (serving the first floor) shall be set a minimum of 1.7 metres above the finished floor level and shall be retained as such thereafter in perpetuity.

Reason - To protect the reasonable amenities of neighbouring residents.

Expiry Date: This permission will cease to have effect on 27/11/2025 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/2022/1846
Property Ref: B01834B000
Valid date: 04/10/2022
Location: Site at Les Picquerel La Route Du Picquerel St. Sampson
Guernsey GY2 4SD
Proposal: Variations to previously approved plans to erect dwelling with
associated parking and landscaping (revised scheme) - increase
floor area to south-east and alterations to fenestration and
rooflights.
Applicant: Commercial Services Ltd

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 on or before 13/01/2025.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2021/1918.

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 permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 14/01/2022, issued under planning application reference FULL/2021/1918, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

5. Notwithstanding the submitted details, the eills of the rooflights in the south-east and north-west facing elevations hereby approved (serving the first floor) shall be set a minimum of 1.7 metres above the finished floor level and shall be retained as such thereafter in perpetuity.

Reason - To protect the reasonable amenities of neighbouring residents.

OFFICER'S REPORT

Site Description:

The site comprises an L-shaped parcel of land, extending from La Route du Picquerel towards the south-west, between the roadside residential properties, and wrapping around behind the residential property to the south-east. The site comprises the access and amenity space formerly associated with the residential flat known as Ampawan, located in the building to the south-east of the site (known as Shalom), and fronting on to Les Tracheries Road.

The access is located in the north-east boundary, on to La Route du Picquerel. To the north-west the site boundary is formed by the side wall of a two storey garage building associated with the residential property in that direction and a high granite wall, which forms the remainder of the boundary. To the south-west, the site boundary is formed by a low wall separating the site from the parking area associated with the veterinary practice to the south. The site wraps around a residential property known as Kerribuan and is separated from that property by timber fencing, 1.8m high along the rear boundary of that property and staggered down along the side boundary towards the front.

The property is located within the L'Islet Local Centre as defined in the Island Development Plan, and immediately adjacent to a protected building, the dwelling-house known as Kerribuan located to south-east of the site.

Planning permission was granted in 2021, 2018 and 2017 respectively to erect a dwelling-house with associated parking and garden, see history below.

Relevant History:

FULL/2021/1918 - Erect dwelling with associated parking and landscaping (revised scheme) – Approved January 2022.

FULL/2018/2314 - Erect residential unit with associated parking and garden (Revised Scheme) – Approved December 2018.

FULL/2017/1551 - Erect residential unit with associated parking and garden
Approved October 2017.

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

This application is a variation to a previously approved application, FULL/2021/1918, to increase the ground floor area and on the southeast elevation and some alterations to the fenestration and rooflights.

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

GP5: Protected Building (Setting)

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Representations:

There has been one letter of representation and the issues are:

- The proximity of the new dwelling to the boundary wall

Consultations:

None

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

The position of the new dwelling will remain as per the previously approved application. The extension will extrude the western end of the southeast elevation out into the garden by 6.72sqm.

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

The scale and massing of the new extension is not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it have any impact on either of the immediate neighbours. The rooflights are indicated to be at high level and this can be confirmed by planning condition.

The previous application report dealt with the concerns highlighted in the letters of representation, and the same conditions will have to be adhered to with this application. It is noted that the proposed building is located immediately adjacent to the property boundaries. Rights of access either for the construction of the building including the digging of foundations, or for on-going maintenance of boundary treatments are a third party legal issue and fall outside of the scope of consideration for a planning application. Approval of this application would not grant consent for access on to land outside of the property ownership, or otherwise impact on third party rights or privileges.

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.

3 - General material considerations set out in the General Provisions Ordinance.

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. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 28/11/2022