

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: Variation to previously approved plans to demolish extension, conservatory and garage. Erect extension with roof terrace and external staircase, raised decking area and summer-house to north (rear) of dwelling. Install roof lights to west roofslope and alterations to fenestration and erect shed - Reduce size of ground floor extension to rear, omit section of roof terrace, and install raised decking area and external stairway to ground level, and alter fenestration to west elevation.

LOCATION: Ormer House, La Grande Rue, St. Saviour.

APPLICANT: Mr & Mrs Wyatt

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: 05/05/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/10/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Grey Bear Architects - 102-4-400C, 401C, 402C, 403C & 404C.

Application Ref: FULL/2022/1894

Property Ref: E008940000

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 07/04/2024.

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/2021/0265.

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 variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 08/04/2021, issued under planning application reference FULL/2021/0265, and subject to the terms and conditions thereof.

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

Expiry Date: This permission will cease to have effect on 07/04/2024 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/2022/1894
Property Ref: E008940000
Valid date: 11/10/2022
Location: Ormer House La Grande Rue St. Saviour Guernsey GY7 9PR
Proposal: Variation to previously approved plans to demolish extension, conservatory and garage. Erect extension with roof terrace and external staircase, raised decking area and summer-house to north (rear) of dwelling. Install roof lights to west roofslope and alterations to fenestration and erect shed - Reduce size of ground floor extension to rear, omit section of roof terrace, and install raised decking area and external stairway to ground level, and alter fenestration to west elevation.

Applicant: Mr & Mrs Wyatt

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 07/04/2024.

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/2021/0265.

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 variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 08/04/2021, issued under planning application reference FULL/2021/0265, and subject to the terms and conditions thereof.

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

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a detached 1.5 storey dwelling-house located on a corner plot between Rue De St. Appoline and La Grande Rue, St. Saviour.

The property is located Outside of the Centres as defined in the Island Development Plan. The property is adjacent to the St. Appoline's Chapel, which itself is set within the St. Appoline Conservation Area. Consequently, the application site could have some archaeological interest due to the close proximity to the Chapel.

Planning permission was granted in 2021 (FULL/2021/0265) to demolish an extension, conservatory and garage and erect an extension with a roof terrace and external staircase, raised decking area, summerhouse and shed to the rear (north) of the dwelling.

Planning permission is now sought to vary permission FULL/2021/0265 and to reduce the size of the approved ground floor extension to the rear, omit section of the roof terrace, and install a raised decking area and external stairway to ground level, and alter the fenestration to the west elevation.

Relevant History:

FULL/2021/0265	Demolish extension, conservatory and garage. Erect extension with roof terrace and external staircase, raised decking area and summer-house to north (rear) of dwelling. Install roof lights to west roofslope and alterations to fenestration and erect shed.	Approved
PCAR/2009/0867	Application for a motor caravan permit.	Approved
PAPP/2008/0442	Demolish chimney stack	Approved
PAPP/2007/1811	Demolish chimney, install french doors and lay decking	Approved

PRCN/1999/4054	Erect a boundary wall (reconsideration).	Refused
PAPP/1999/2030	Erect a boundary wall.	Refused

Existing Use(s):

Residential

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

GP7: Archaeological Remains
GP8: Design
GP9: Sustainable Development
GP13: Householder development

Conclusion/Brief comment:

The changes to the proposal including the partial omission of the ground floor extension and roof terrace are generally less impactful to the character of the area and visual amenity than the original scheme, and overall do not raise any Policy issues.

Careful consideration has been given to the effect of the development on the amenities of neighbouring residents. Despite the incorporation of a 1.8m high privacy screen along the east edge of the roof terrace as conditioned as part of the original scheme, siting the roof terrace further away from the neighbouring boundary to the east is a welcomed change and is less imposing on their private amenity space.

Whilst the topography of the site decreases in height across the site, particularly in a south-north direction, the installation of a raised decking area to the rear of the property is not considered to cause significant harm to the amenities of the neighbouring property to the east (Tredici). This decision has been reached when taking into account; the limited size of the decking area, its recessed position away from the east elevation of the dwelling, its height above ground level, being setback from the boundary by approx. 4-5m, the alignment of and relationship between the applicant's dwelling and the neighbouring dwelling, together with a mature boundary hedge which forms the east boundary of the application site. Whilst it is recognised that the relationship isn't overly neighbourly should the existing hedge die, or become diseased, the degree of harm is unlikely to be so substantial to justify

refusal when taking into account the relationship and distance to the private amenity space of Tredici.

All other alterations to the property are considered acceptable.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

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.

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: 27/04/23