

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 plans previously approved to Demolish existing and erect replacement dwelling - Omit external steps (north) and extend and alter at ground and first floor levels.

LOCATION: The Mill, Steam Mill Lane, St. Martin.

APPLICANT: Mr P Freeman

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: 23/12/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/11/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Andrew P Jones Associates: 7791/5C, /6C, 10A, 12B & 14A

Application Ref: FULL/2022/1912

Property Ref: J00502C000

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 11/05/2024.

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/2021/0436.

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 12 May 2021, issued under planning application reference FULL/2021/0436, and subject to the terms and conditions thereof.

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

Expiry Date: This permission will cease to have effect on 11/05/2024 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/2022/1912
Property Ref: J00502C000
Valid date: 07/11/2022
Location: The Mill Steam Mill Lane St. Martin Guernsey GY4 6XE
Proposal: Variations to plans previously approved to Demolish existing and erect replacement dwelling - Omit external steps (north) and extend and alter at ground and first floor levels.

Applicant: Mr P Freeman

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 11/05/2024.

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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 12 May 2021, issued under planning application reference FULL/2021/0436, and subject to the terms and conditions thereof.

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

OFFICER'S REPORT

Brief Description of the site:

The property is a former windmill located to the east of Rue Poudreuse in St Martin. The ground floor of the building is used for retail purposes as Catherine Best Jewellers and the upper floors comprise a single residential unit. The Mill and the associated domestic land to the east, the subject of this application, is located Outside of the Centres. The parking area to the north of the Mill is within the St Peter Port Main Centre Outer Area.

This application is to vary the previously approved plans (FULL/2021/0436) to omit existing steps, enlarge and alter the ground and first floor extensions to both the Mill and Swimming Pool. The connecting tunnel between the Mill and Tumbledown has been removed from the plans.

Relevant History:

Application FULL/2021/0436 was approved 12/05/2021 and allowed the erection of a two-storey extension with roof terrace and single storey side extension to the east elevation.

Existing Use(s):

Residential use class 2
Retail use class 10

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:

Policy GP1: Landscape Character and Open Land
Policy GP8: Design

Policy GP9: Sustainable Development
Policy GP13: Householder Development

Conclusion/Brief comment:

Policy GP13: Householder Development is generally supportive of proposals for domestic extensions, alterations and other such householder development provided that: there are no significant adverse effects on the amenities of neighbouring properties; the design, or the scale, mass and form would not detract from the open character of open locations.

The removal of the balcony and incorporation of the external stairs means the first-floor extension is larger in width and depth than was previously approved, and there are changes to the fenestration, however, the alterations would not result in a detrimental effect to the amenity of any neighbouring properties or the visual amenity of the locality.

Similarly the increase in the length of the pool building is not considered to have a harmful impact on amenity or on the character of the area.

On the above basis, it is considered that the application conforms to the objectives of policies GP8: Design and GP13: Householder Development and therefore is acceptable under all policies.

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: 22/12/2022

