

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 extension and chimney, erect 2 storey extension and extend raised terraced area to north (rear), erect 1.5 storey extension to east (side) elevation and alterations to fenestration.

LOCATION: Saint Vial, Avenue Du Manoir, Ville Au Roi Estate, St. Peter Port.

APPLICANT: Mr & Mrs Cuddihee

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: 10/01/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 24/11/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Grey Bear Architect - 123-3-301, 302, 303, 304 & 305.

Application Ref: FULL/2022/2117

Property Ref: A404830000

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 first floor window in the west elevation serving the Master Ensuite shall be glazed with obscure glass to a minimum of 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.

Expiry Date: This permission will cease to have effect on 09/01/2026 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/2022/2117
Property Ref: A404830000
Valid date: 24/11/2022
Location: Saint Vial Avenue Du Manoir Ville Au Roi Estate Ville Au Roi Estate St. Peter Port Guernsey GY1 1PE
Proposal: Demolish extension and chimney, erect 2 storey extension and extend raised terraced area to north (rear), erect 1.5 storey extension to east (side) elevation and alterations to fenestration.

Applicant: Mr & Mrs Cuddihee

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 first floor window in the west elevation serving the Master Ensuite shall be glazed with obscure glass to a minimum of 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.

OFFICER'S REPORT

Brief Description of the site:

Saint-Vial, Avenue Du Manoir is a detached, hipped roof dwelling situated in a residential area of St Peter Port. The frontage area is substantially hardsurfaced for parking. A hipped roof extension exists to the side/east of the dwelling and a conservatory/extension to the rear/north.

The application relates to the demolition of the existing conservatory and the erection of a two-storey extension to the rear incorporating hidden flat roof, a single-storey extension is also proposed to the rear of the dwelling. The scheme indicates the demolition of the side extension and its replacement with a one and a half-storey extension. Alterations are also proposed to the existing porch, a chimney stack is to be demolished and alterations are proposed to fenestration (primarily to the rear).

The site is located in the Main Centre Outer Area as designated in the Island Development Plan.

Relevant History:

FULL/2015/2504 - Rebuild existing roadside wall, retain and widen vehicular accesses, install lights and install gates - granted

Existing Use(s):

01 dwellinghouse

Assessment: *(Tick as appropriate)*

no representation	☒
accords with policy	☒
within curtilage	☒
design acceptable	☒

visual amenity acceptable	☒
no material neighbour impact	☒
traffic not affected	☒

Policies considered most relevant:

Island Development Plan policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

The side extension has a subservient roof form and catslide roof in order to reduce its overall scale and bulk. The rear extension is also subservient to the main house, achieved in part due to the flat roof masked by the hipped roofs of the extensions. The scheme has been designed to reflect the design and appearance of the existing dwelling which respects the local built environment and represents a good standard of design.

Laurel House is situated to the west of the proposed two-storey rear extension and given the blank side elevation and distance between properties the extension will not result in undue overshadowing or loss of light to the neighbouring garden area.

The design approach adopted for the side/east extension is such that this will not result in unacceptable overshadowing or loss of privacy to the occupiers of Kingsgate. Fenestration in the side elevations of both multi-storey extensions has been limited in order to manage the potential for overlooking and loss of privacy and involves a high level rooflight to the east and an obscure glazed window serving an en-suite to the west. As the existing property is two-storeys in height the introduction of extensions and windows at first floor level associated with the proposed works will not result in unacceptable overlooking or loss of privacy to the occupiers of properties to the north of the site.

The scheme will provide flexible and adaptable accommodation that can respond to the needs of occupiers over time. Accommodation over two floors represents efficient and effective use of land. The ground floor would be accessible to people of all ages and abilities whilst the first floor would be accessible to ambulant disabled. It may also be possible to install a stair lift to provide enhanced access on the first floor. The scheme also considers the health and well-being of occupiers by providing adequate sunlight and daylight to the proposed accommodation.

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.

Recommendation:

Grant with Conditions



Date: 05 January 2023

