

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: Raise roof ridge height, extend and alter at ground, 1st and 2nd floor level, erect store with raised terrace with glazed link to dwelling at 1st floor level to west (rear) of property, erect bin store to south boundary, remove hedges, replace hedge to east (roadside) boundary, erect wall to north and west boundary and associated landscaping.

LOCATION: La Recherche, Village De Putron, St. Peter Port.

APPLICANT: Mr K Kirk

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 23/11/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: drawings4U - 212060.SK.01, SK02, SK03 & SK04A.

Application Ref: FULL/2022/2129

Property Ref: A410850000

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 screen walls and obscure glazed balustrade shown on Dwg. No. 212060/SK/04A approved as part of this application shall be erected before the garden terrace and roof terrace are first brought into use, and shall thereafter be so maintained.

Reason - To prevent overlooking, in the interests of neighbouring amenity.

5.The boundary walls hereby permitted shall be smooth rendered on both sides within 28 days of construction.

Reason - In the interests of the appearance of the development and neighbouring amenity.

6.the first floor windows in the south elevation of the development hereby permitted shall be fixed non-opening and obscure glazed (to a minimum of Level 3 on the Pilkington Scale), and thereafter be so maintained.

Reason - To prevent overlooking, in the interests of neighbouring amenity.

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/2022/2129
Property Ref: A410850000
Valid date: 23/11/2022
Location: La Recherche Village De Putron St. Peter Port Guernsey GY1 2TG
Proposal: Raise roof ridge height, extend and alter at ground, 1st and 2nd floor level, erect store with raised terrace with glazed link to dwelling at 1st floor level to west (rear) of property, erect bin store to south boundary, remove hedges, replace hedge to east (roadside) boundary, erect wall to north and west boundary and associated landscaping.
Applicant: Mr K Kirk

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 screen walls and obscure glazed balustrade shown on Dwg. No. 212060/SK/04A approved as part of this application shall be erected before the garden terrace and roof terrace are first brought into use, and shall thereafter be so maintained.

Reason - To prevent overlooking, in the interests of neighbouring amenity.

5. The boundary walls hereby permitted shall be smooth rendered on both sides within 28 days of construction.

Reason - In the interests of the appearance of the development and neighbouring amenity.

6. the first floor windows in the south elevation of the development hereby permitted shall be fixed non-opening and obscure glazed (to a minimum of Level 3 on the Pilkington Scale), and thereafter be so maintained.

Reason - To prevent overlooking, in the interests of neighbouring amenity.

OFFICER'S REPORT

Brief Description of the site:

The application property comprises a detached chalet bungalow, positioned on the west side of Village de Putron (a private drive) and located Outside of the Centres and the subject of no other designation under the Island Development Plan.

Relevant History:

PREA/2016/1400 - Extend and alter dwelling.

FULL/2018/0251 - Raise ridge height and extend dwelling at first and second floor levels with balcony on east elevation, erect single storey extension on south elevation, erect two storey extension on west elevation, erect double garage with roof terrace on north elevation, remove conifer hedges on north and west boundaries and erect new walls and replace existing hedge on roadside boundary with new hedge – granted

Existing Use(s):

01 dwellinghouse

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

x
x
x
x

visual amenity acceptable
no material neighbour impact
traffic not affected

x
x
x

Policies considered most relevant:

Island Development Plan policies:

GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:

Planning permission is sought for a near identical scheme to that granted in 2018 (internal layout changes only, no changes to the proposed external works) which was also considered against policies in the IDP. There have been no material changes in the policies against which the application must be considered nor to the property or its surrounding neighbours.

In view of this and the assessment undertaken in relation to the above policies under the earlier scheme it is recommended this application is granted permission subject to appropriate planning conditions.

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

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Date: 06 January 2023