

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 conservatory, extend and alter at ground floor level, install rooflight to west (side) elevation. Erect shed to south-west boundary, alterations to vehicle access and parking area and erect gate to east elevation.

LOCATION: Carrowneden, 2 Beau Repaire, Rue A L'or, St. Peter Port.

APPLICANT: Mr & Mrs D Waldron

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: 23/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 19/01/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: The Drawing Room - 337 C2, C3, C4, C5, C6, C7 & C8

Application Ref: FULL/2023/0058

Property Ref: A30869B002

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.Precise details of the hedge to be planted along the northern boundary of the site (as labelled 13 on approved drawing ref 337 C2) including the type of hedgerow, and the size, spacing and density of plants shall be submitted to and agreed in writing by the Authority. The hedge shall be planted in accordance with the approved details within the first planting season following the construction or first occupation (whichever is the sooner) of the shed hereby approved, or in accordance with a programme previously agreed in writing by the Authority. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

Expiry Date: This permission will cease to have effect on 22/03/2026 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/2023/0058
Property Ref: A30869B002
Valid date: 19/01/2023
Location: Carrowneden 2 Beau Repaire Rue A L'or St. Peter Port
Guernsey GY1 1QG
Proposal: Demolish conservatory, extend and alter at ground floor level,
install rooflight to west (side) elevation. Erect shed to south-
west boundary, alterations to vehicle access and parking area
and erect gate to east elevation.

Applicant: Mr & Mrs D Waldron

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. Precise details of the hedge to be planted along the northern boundary of the site (as labelled 13 on approved drawing ref 337 C2) including the type of hedgerow, and the size, spacing and density of plants shall be submitted to and agreed in writing by the Authority. The hedge shall be planted in accordance with the approved details within the first planting season following the construction or first occupation (whichever is the sooner) of the shed hereby approved, or in accordance with a programme previously agreed in writing by the Authority. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a detached residential dwelling situated on a corner plot within the Beau Repaire Clos. Surrounding the site the area comprises residential properties of mixed building types and design in all directions.

The site is situated within a Main Centre Outer Area as designated in the Island Development Plan.

Relevant History:

PAPP/2007/3179	Install dormer window	Granted 04/12/2007
PAPP/2007/0141	Erect a Conservatory	Granted 09/02/2007
PAPP/2006/0223	Install a rooflight	Granted 28/02/2006
PAPP/1999/2790	Fell two Eucalyptus trees	Granted 07/09/1999

Existing Use(s):

Residential – Use Class 1

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 Policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development;

IP7: Private and Communal Parking;

IP9: Highway Safety, Accessibility and Capacity.

Conclusion/Brief comment:

Planning permission is sought to demolish an existing conservatory, to extend and alter at ground floor level (rear of the property), to replace a rooflight (west elevation), to alter existing and to install new fenestration, to erect a shed to the southwest boundary, alterations to the vehicle access and parking area and to erect a gate to the east elevation.

Policy GP13 of the Island Development Plan is generally supportive of proposals for domestic extensions, alterations and other such householder development where: there are no significant adverse effects on the amenities of neighbouring properties; the design, scale, mass and form would not detract from the open character of open locations; and, they do not adversely affect the special interest of a Conservation Area or Area of Biodiversity Importance or protected building or protected monument.

The extensions proposed are single storey, situated to the rear of the property and will not negatively impact on the appearance of the surrounding and will be subservient to the host dwelling. The materials to be used in their construction will match the existing dwelling in-keeping with the character and appearance of the surrounding area.

The proposed shed although situated closer to the highway than the existing property will be screened by a 1.8m high hedge proposed to be planted along the northern boundary of the site. To ensure that the hedge is appropriately planted in a timely manner and helps the development to assimilate into its surroundings, should permission be granted, a condition should be included for it to be planted in the first planting season following the completion of the shed. All other alterations are in-keeping with the design and character of the host dwelling and would not harm the character of the area.

Given the limited height of the extensions, and the position of the property in relation to the neighbouring properties the alterations proposed as part of this scheme will not have any significant impacts on the amenities enjoyed by the occupiers of any of the neighbouring properties with regard to sunlight, daylight or loss of privacy.

At present car parking for the property is situated along the northern boundary of the site, running from a point level with the front elevation of the property to the western boundary of the site. There is sufficient space to accommodate at least four cars, although individual spaces are not demarcated. Under this proposal the area immediately fronting the proposed shed and the living room area is to be paved to match the rear of the property with a hedgerow introduced to separate this area from the remainder of the site and to provide privacy to the living room window. The proposed hedge would restrict parking in this area and the resultant shortfall is proposed to be relocated to the front of the site by utilising part of the front garden area as hardstanding.

Although a small section of the front garden area will be lost as a result of the alterations, sufficient garden area will be retained to provide an element of soft landscaping to the street-scene. Furthermore, a hedge is proposed to the front of the site, to separate the garden area from the parking area, which will further screen any car parking from the main entrance into the Clos. Any cars parked will also be seen in context with those parked to the front of the neighbouring property to the south. Based on the above it is considered that any harm to the visual character or appearance of the Clos or the immediate street scene would not be so substantial to warrant the refusal of planning permission.

The scheme as proposed would not create any additional car parking and the alterations to the car parking area would ensure that the current level of parking is maintained. Given that this is a Clos Road with limited traffic, the proposal would not cause harm to highway safety.

For the above reasons it is considered that the proposal accords with Policies GP8, GP13, IP7 and IP9 of the Island Development Plan.

The applicant's agent has provided confirmation (by letter dated 07/12/2022) that the design and specification of the extensions/alterations proposed comply with all parts of the Guernsey Technical Standards 2012, specifically in terms of: thermal efficiency (insulation); drainage; water efficiency; materials to be used; waste storage and disposal; and the conservation of fuel and power.

The Planning Service is therefore satisfied that the proposal has been designed to take into account the use of energy and resources and to reduce any impact on the environment and therefore complies with Policy GP9 of the Island Development Plan.

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 and for the reasons contained within this report, it is recommended that planning permission is granted.

Recommendation:
Grant with Conditions



Date: 21/03/2023

