

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 extensions, erect single storey extension and install dormer window to south-west (rear) elevation, erect extension at first floor level to south east (side) elevation, internal and fenestration alterations (Protected Building) (Revised Scheme).

LOCATION: The Laurels, Candie Road, St. Peter Port.

APPLICANT: Yellow Bear Limited

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: 28/04/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/01/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: MAT Ltd: 22-224-06B, 07B, 08C, 09C & 10B

Application Ref: FULL/2023/0175

Property Ref: A113930000

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.All new or replacement windows in the existing dwelling and the first floor extension hereby approved shall be of timber construction and of vertical sliding sash design and method of opening.

To preserve the special quality and appearance of this Protected Building.

5.The solar panels shall not be installed until details of their construction has been submitted to and agreed in writing by the Authority. The works shall then be carried out only in accordance with the agreed details.

Reason - To preserve the special quality and appearance of this Protected Building.

Expiry Date: This permission will cease to have effect on 27/04/2026 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/2023/0175
Property Ref: A113930000
Valid date: 18/01/2023
Location: The Laurels Candie Road St. Peter Port Guernsey GY1 1UP
Proposal: Demolish extensions, erect single storey extension and install dormer window to south-west (rear) elevation, erect extension at first floor level to south east (side) elevation, internal and fenestration alterations (Protected Building) (Revised Scheme).

Applicant: Yellow Bear Limited

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. All new or replacement windows in the existing dwelling and the first floor extension hereby approved shall be of timber construction and of vertical sliding sash design and method of opening.

To preserve the special quality and appearance of this Protected Building.

5. The solar panels shall not be installed until details of their construction has been submitted to and agreed in writing by the Authority. The works shall then be carried out only in accordance with the agreed details.

Reason - To preserve the special quality and appearance of this Protected Building.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'The Laurels' is a two-storey residential dwelling built in the 1880's. The property is set back from and faces northeast onto Candie Road. There are other detached Georgian style houses to the northwest, southeast and across the road to the northeast, all of which are Protected Buildings, and the fire station is sited to the south/southwest. The property is located within the St Peter Port Main Centre Outer Area and Conservation Area as defined in the Island Development Plan. The property is also a Protected Building.

Relevant History:

FULL/2022/1282 - Demolish extensions, erect single storey extension and install dormer window to south-west (rear) elevation, erect extension at 1st floor level to south-east (side) elevation, internal and fenestration alterations (Protected Building) – Refused December 2022.

Existing Use(s):

Residential use class 1: dwelling house.

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:

GP4: Conservation Areas
GP5: Protected Buildings
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:

This application is similar to the previous application, with some changes. The proposals are to demolish the existing rear extensions, and erect a single storey flat roof extension to the rear, a smaller first floor extension above the garage to the side elevation, the installation of a dormer window to the rear roof slope and other alterations to the fenestration of this Protected Building.

Initially the scheme still had a few issues and a short Statement of Significance (SoS) which did not go in to detail enough for us to make an informed assessment. The application was deferred requesting further changes and for the SoS to be expanded.

The proposed single storey rear extension and the set back first floor addition are now considered to achieve a good standard of design, using materials which complement the existing materials, including timber sash windows for the first floor extension. The extensions will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation. The SoS has now shown that the homeowners aspirations outweigh the harm to the special interest of the protected building.

The scale and massing of both of the new extensions and the proposed rear catslide dormer are not considered to have a detrimental effect on the character and amenity of the surrounding conservation area, nor will they have any detrimental impacts on the special interest of the protected building or its setting. The proposals are not considered to have any impacts on either of the immediate neighbours.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to 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



Date: 27/04/2023