

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: Variation to previously approved plans to erect single storey extensions to east, west and north elevations - Erect two storey extension to east elevation.

LOCATION: St Elmo, Rohais, St. Peter Port.

APPLICANT: Mr & Mrs Forino

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: 07/07/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 03/02/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture drawing no: 02.01B & 02.02B

Application Ref: FULL/2023/0200

Property Ref: A207020000

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 10/11/2025.

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/2022/1977.

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 variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 11/11/2022, issued under planning application reference FULL/2022/1977, and subject to the terms and conditions thereof.

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

5.The external face of the east elevation of the extension hereby approved shall be finished in smooth render within 2 months of its construction.

Reason - In the interests of visual amenity, conserving the Conservation Area, and to ensure that the external face of the wall is completed within an acceptable timeframe.

Expiry Date: This permission will cease to have effect on 10/11/2025 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/2023/0200
Property Ref: A207020000
Valid date: 03/02/2023
Location: St Elmo Rohais St. Peter Port Guernsey GY1 1YL
Proposal: Variation to previously approved plans to erect single storey extensions to east, west and north elevations - Erect two storey extension to east elevation.

Applicant: Mr & Mrs Forino

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 10/11/2025.

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/2022/1977.

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

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Reason - In the interests of visual amenity, conserving the Conservation Area, and to ensure that the external face of the wall is completed within an acceptable timeframe.

OFFICER'S REPORT

Brief Description of the site:

The site comprises a detached two storey dwelling located on a corner plot which intersects both Rohais and Courtil St. Jacques. The property is located in the Main Centre Outer Area and Conservation Area as designated in the Island Development Plan.

Planning permission was granted in 2021 and 2022 to erect a single storey extension to the side (east) of the dwelling, amongst other works to the property. Permission is now sought to vary permission FULL/2022/1977 and create a 1st floor extension to the east of the site, above the approved ground floor extension.

Relevant History:

FULL/2022/1977	Erect single storey extensions to east (front), west (rear) and north (side) elevations.	Granted
FULL/2021/2013	Demolish garage, erect two storey extension to north (rear) elevation, single storey extension to east (side) elevation and alterations to fenestration.	Granted

Existing Use(s):

Residential

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
GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Conclusion/Brief comment:

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.

Despite the increase in the mass and bulk of the property, the application has been sensitively designed to respect character and appearance of the property and the surrounding Conservation Area by virtue of its scale, mass, roof form, materials and siting. The proposal will result in a subservient, proportionate and respectful addition to the dwelling.

When compared to the previous scheme FULL/2022/1977, the impacts on the character and appearance of the Conservation Area and street scene are improved by the use of a traditional roof form which is complementary to both the main house and surrounding area, as opposed to the flat roof which was partially hidden by a parapet wall.

The proposal is served by two rooflights which will provide ample light and ventilation to the office/study. Despite the low cill heights of the proposed rooflights, the distance and relationship to neighbouring properties is such that it would not cause significant harm to the amenities of neighbouring residents to warrant deferral, or even refusal.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, accords with the purpose of the Law, and the requirements of the material considerations; it is therefore recommended that planning permission be granted, subject to conditions

Recommendation:

Grant with Conditions



Date: 05/07/23