

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 plans previously approved to erect two storey extension, captains dormer, single storey glazed extension, solar panels & shed to south-east (rear) elevation and captains dormer to north west elevation - Alter and install privacy screening to 1st floor balcony.

LOCATION: Tranquille, 38 Domaine de Beauport, Hauteville, St Peter Port.

APPLICANT: Mr M Peacock

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: 26/04/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 25/01/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Turnstone Architecture: 234-02 REV P5, -03 REV P5 & -04 REV P5.

Application Ref: FULL/2023/0205

Property Ref: A40671A038

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 28/09/2025.

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/2022/1319.

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 29/09/22, issued under planning application reference FULL/2022/1319, and subject to the terms and conditions thereof.

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

5. The 1.75m privacy screen hereby approved to the north-east edge of the first floor terrace shall be fitted with visual control glazing in accordance with the details submitted as part of this application and the manufacturers specification prior to the terrace being brought into use. The screen shall be retained as such in perpetuity. No changes shall be made to the screen unless previously agreed in writing by the Authority.

Reason - To secure the satisfactory appearance of the completed development and to protect neighbour amenity.

Expiry Date: This permission will cease to have effect on 28/09/2025 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/2023/0205
Property Ref: A40671A038
Valid date: 25/01/2023
Location: Tranquille 38 Domaine de Beauport Hauteville Hauteville St
Peter Port Guernsey GY1 1DL
Proposal: Variation to plans previously approved to erect two storey extension, captains dormer, single storey glazed extension, solar panels & shed to south-east (rear) elevation and captains dormer to north west elevation - Alter and install privacy screening to 1st floor balcony.
Applicant: Mr M Peacock

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 28/09/2025.

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/2022/1319.

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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 29/09/22, issued under planning application reference FULL/2022/1319, and subject to the terms and conditions thereof.

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

5. The 1.75m privacy screen hereby approved to the north-east edge of the first floor terrace shall be fitted with visual control glazing in accordance with the details submitted as part of this application and the manufacturers specification prior to the terrace being brought into use. The screen shall be retained as such in perpetuity. No changes shall be made to the screen unless previously agreed in writing by the Authority.

Reason - To secure the satisfactory appearance of the completed development and to protect neighbour amenity.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a two-and-a-half storey dwelling situated within the St. Peter Port Main Centre and Conservation Area as defined in the Island Development Plan. The end of terrace property, forms part of a late C20th housing development which is located on the ridge line of the hill that is part of Hauteville. The site is therefore prominent in many views from the harbour, marinas and quayside as well as from the north side of the Charroterie Valley. Parking provision exists to the front, with a hard surfaced garden and two allocated parking spaces to the rear, detached from the property.

A number of other properties in Domaine De Beauport have been extended and altered over the years, including first floor balconies.

The site has been granted planning permission over recent years to extend the dwelling at first floor level and create a balcony to the rear, and install captain's dormers and roof-lights to the front and rear of the property, amongst other alterations to the dwelling.

Relevant History:

FULL/2022/1319 - Erect two storey extension, captains dormer, single storey glazed extension, solar panels & shed to south-east (rear) elevation and captains dormer to north west elevation – Approved September 2022.

FULL/2021/0714 - Erect porch on south east (rear) elevation, extend boiler room/store on south west (side) elevation, install rooflight to north west (front) elevation and install solar panels to dwelling and shed – Approved August 2021.

FULL/2020/0948 - Install captain's dormer window to rear elevation – Approved January 2021.

FULL/2020/0368 - Variation to plans previously approved to install captain's dormer window to north-west (front) elevation - Alter existing dormer window and captain dormer window to front – Approved May 2020.

FULL/2019/0790 - Erect pitched roof extension with balcony at 1st floor to south-east (rear) elevation, install captains dormer window to north-west (front) elevation and alteration to fenestration. Demolish existing and erect shed and demolish section of boundary wall to widen access and erect gate – Approved December 2019.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation

X

accords with policy

X

within curtilage

X

design acceptable

X

visual amenity acceptable

X

no material neighbour impact

X

traffic not affected

X

Policies considered most relevant:

GP4 Conservation Areas

GP8 Design

GP9 Sustainable development

GP13 Householder Development

Conclusion/Brief comment:

This application is for a variation to the previously approved application, FULL/2022/1319, the variation is to include a second privacy screen to the northeast balustrade of the first floor balcony. As previously approved, the balcony incorporated a lower privacy screen with a planter which would prevent access to

the edge of the balcony, and therefore overlooking of the adjacent property. The current proposal omits the planter, however, increases the height of the privacy screen, which negates the requirement for the planter and overrides the requirements of Condition 6 of FULL/2022/1319.

The application was however initially deferred because the privacy screens had been lowered. The general standard for privacy screens is 1.8m, however the previously approved screen were 1.75m, and the initial height was 1.7m which was considered to be too low. The drawings were altered and the proposed height is now 1.75m as per the originally approved drawings.

To maintain privacy and to provide a good interrelationship with the neighbouring property to the northeast, the scheme proposes to install view control film which will be embedded within the new proposed privacy screen, which is clear when looking straight through, but is opaque over 25 degrees. A sample of the view control film has been submitted as part of the application.

The addition of the northeast privacy screen is an improvement to the overall scheme and is considered acceptable. The changes will not alter the character of the area or affect neighbouring amenity.

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: 24/04/2023

