

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: Erect extension at 1st floor level, install rooflight, cladding and alterations to fenestration to south-east (rear) elevation.

LOCATION: 14 Paris Street, St. Peter Port.

APPLICANT: Mr & Mrs Thomson-Kennedy

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: 27/06/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 28/02/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design Ltd - 12-1440 PD/01, PD/02 & PD/03

Application Ref: FULL/2023/0350

Property Ref: A108630000

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.

Expiry Date: This permission will cease to have effect on 26/06/2026 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/2023/0350
Property Ref: A108630000
Valid date: 28/02/2023
Location: 14 Paris Street St. Peter Port Guernsey GY1 2BN
Proposal: Erect extension at 1st floor level, install rooflight, cladding and alterations to fenestration to south-east (rear) elevation.

Applicant: Mr & Mrs Thomson-Kennedy

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.

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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.

OFFICER'S REPORT

Brief Description of the site:

The application site known as No. 14 Paris Street comprises a traditional, 2.5 storey mid-terrace property, located on the southern side of Paris Street. The property is served a flat roof single storey extension to the rear. The property is located in a Conservation Area as designated in the Island Development Plan.

Planning permission is sought to erect a flat roof extension at 1st floor level, install a roof light to provide light to the ground floor accommodation, install composite cladding and make alterations to fenestration to south-east (rear) elevation providing art-deco inspired fenestration at ground and first floor level. The doors/windows at ground floor level will match the window serving the first floor extension to achieve a cohesive design, albeit will contrast with the original 6-over-6 vertical sliding sash windows on the original part of the house.

It is recognised that an application to demolish an outbuilding/industrial unit and erect a dwelling at the neighbouring property to the west (No.12 Paris Street) is currently under consideration (FULL/2022/2150). At present, the neighbour's property comprises a single storey workshop.

Relevant History:

Application site, No. 14 Paris Street, A108630000

PREA/2022/2043	Erect rear extension at first floor level.	Pre-application advice
PAPP/2005/2699	Construct replacement shed and roof terrace (retrospective)	Granted
HAPP/2003/3941	Variations to works previously approved to extend and alter dwelling	Granted
HAPP/2003/2404	Extension and alteration	Granted

Neighbouring land to the west of the application site (No.12 Paris Street), A108620000

FULL/2022/2150	Demolish outbuilding/industrial unit and erect dwelling.	Pending
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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.

Policy GP4 (Conservation Areas) states that proposals for development within a Conservation Area will be supported where the development conserves and, where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area. Furthermore, it is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting Conservation Areas that special attention shall be paid to the desirability of preserving and enhancing the character and appearance of that Area.

Policy GP13 (Householder Development) states that proposals for the alteration and/or extension of residential properties within the residential curtilage, will be supported 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 affect the special interest of Conservation Area, Area of Biodiversity Importance, protected building or protected monument. In this instance Policy GP8 (Design) is also relevant.

In addition, the preceding text to Policy GP13 refers to the need to consider the material planning considerations as specified in Part IV, Section 13 of the Land Planning and Development (General Provisions) Ordinance 2007. These include the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used, as well as its likely effect on the character and amenity of the locality and its likely effect on the reasonable enjoyment of neighbouring properties.

The property in question is not a protected building but is situated within a Conservation Area. As set out in paragraph 19.9.4 of Policy GP8 (Design):

“Some parts of the Island are more sensitive to building design than others.

Within

Conservation Areas and where development relates to protected buildings or protected monuments and their settings, development will be expected to achieve a particularly high standard of design which should respect the character of the particular environment concerned. This may result in either a contemporary or traditional approach to design but, whatever the chosen approach, new development in such circumstances should consider, without necessarily replicating, the scale, mass, detail and special interest of the surrounding built form to complement the local character. In Sites of Special Significance and Areas of Biodiversity Importance development will be required to be designed in such a way as to avoid or minimise negative impacts on the special interest of a Site of Special Significance or biodiversity, or to provide acceptable mitigation in accordance with a scheme approved by the Authority which could impact on the design and use of materials for buildings in these areas.”

In light of the policy context above, the rear elevation of the property, particularly at ground and first floor level, is not visible from public vantage points. Consequently, the focus of this application is unlikely to directly affect the character or appearance of the Conservation Area given its secluded location. In this regard, a greater degree of flexibility is given to design matters to allow property owner's greater freedom of choice with regard to private property development. This flexible and proportionate approach underpins the objectives of the Island Development Plan.

The design of the extension adopts a contemporary approach which is in stark contrast to the main part of the traditional dwelling by virtue of its form, materials and detailing. Despite its contemporary approach with references to art-deco elements, the design is of 'high' quality that contrasts successfully against the original part of the house, whilst adding a distinctive and dynamic element to the property. In addition, Policy GP8 gives support to contemporary design approaches in cases like this where the proposal does not seek to replicate the scale, mass, detail and special interest of the surrounding built form.

Careful consideration has been given to the effect of the development on the amenities of neighbouring residents. The extension has been carefully offset from the east boundary, and the neighbouring property beyond (No.16 Paris Street). In this regard, the distance away from the boundary, coupled with the flat roof form of the extension is enough to ensure that the development would not cause significant harm to the amenities of neighbouring residents in terms of overshadowing or having an overbearing effect, to reasonably warrant refusal.

Overall, the proposal adopts a high standard of design and will not have a significant detrimental impact on the character or appearance of the Conservation Area, visual amenity, or the amenities of neighbouring residents.

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, and accords with the purpose of the Law and material considerations; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 26/06/23