

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 single storey extension with terrace at first floor level, and internal alterations, alter existing external steps, retaining wall and landscaping to north-east (rear) elevation. (Protected Building).

LOCATION: 86 Victoria Road, St. Peter Port.

APPLICANT: Ms A Davidson-Wood & Mr N Marshall

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: 18/05/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 27/02/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: SOUP Architects: 401.050, .100, .110, .200, .210 & .300.

Application Ref: FULL/2023/0444

Property Ref: A303690000

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 17/05/2026 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/2023/0444
Property Ref: A303690000
Valid date: 27/02/2023
Location: 86 Victoria Road St. Peter Port Guernsey GY1 1JB
Proposal: Erect single storey extension with terrace at first floor level, and internal alterations, alter existing external steps, retaining wall and landscaping to north-east (rear) elevation. (Protected Building).

Applicant: Ms A Davidson-Wood & Mr N Marshall

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.

OFFICER'S REPORT

Brief Description of the site:

86 Victoria Road is a mid-terrace property with render exterior and timber sliding sash windows to the front. Access is also available to the rear of the site via La Couperderie with an area of off-road parking available for two cars. The rear garden area is terraced to take account the change in levels between Victoria Road and the lane to the northeast. A fence and gate exist to separate the garden from the parking area to the rear. A shed is located on the uppermost terrace, adjacent to the garden fence and northwest site boundary.

The application relates to the erection of a single-storey flat roof extension to the rear of the dwelling with a roof terrace over with associated alterations to external steps, a retaining wall and landscaping to the rear and a number of internal alterations are proposed.

The site is located in the Main Centre and Conservation Area as designated in the Island Development Plan. 86 Victoria Road and others in the vicinity of the site are Protected Buildings.

Relevant History:

FULL/2022/0213 Demolish extensions, erect single storey extension to east (rear) elevation, erect outbuilding and gate to east of site, create raised terrace area, install balustrade and external steps. (Protected Building). Approved 10/03/2022

Existing Use(s):

01 dwellinghouse

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 Plan policies:

GP4: Conservation Areas

GP5: Protected Buildings
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:

The single-storey nature and contemporary design and appearance of the extension is considered to represent a high standard of design that respects the local built environment, conserving the character and appearance of the Conservation Area. The proposed development will not result in unacceptable overshadowing or overlooking to the occupiers of any surrounding dwellings given the existing extensions to adjoining properties, the high granite boundary wall that encloses the rear of the site and the current level of privacy between the site and neighbouring properties. The proposals ensure that the occupiers of 86 Victoria Road are served by adequate sunlight and daylight and enable them to enhance their enjoyment of the external amenity space on site. The proposed areas of hard landscaping within the rear garden area will represent an improvement over the existing paving, concrete and artificial grass that exists on site.

The proposed development will not have a detrimental impact on the setting of the adjoining protected buildings and the application submission sets out reasons for the proposed works, has developed a scheme to generally ensure that there is no unnecessary harm to the Protected Building and providing justification where harm would result from the development. Overall the development represents the reasonable aspiration of the property owner and does not result in unacceptable harm to the special interest of the Protected Building.

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.

In view of the above, the scheme accords with all relevant policies in the Island Development Plan and it is recommended planning permission is granted for the proposals.

Recommendation:

Grant with Conditions



Date: 15 May 2023

