

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 chimney and raise roof ridge height at second floor level to east elevation.

LOCATION: Tudor Lodge Cottage, Forest Road, Forest.

APPLICANT: Assissi 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: 28/06/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/05/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: The Drawing Room: 356/C1, /C2, /C3, /C4, /C5, /C6, /C7, /C8 & /C9.

Application Ref: FULL/2023/0816

Property Ref: H002310000

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.Notwithstanding the details submitted, the external elevation of the extended east gable wall shall be constructed in stone to match as closely as possible the existing external east gable wall.

Reason - In the interests of visual amenity and to conserve the character and appearance of the Conservation Area.

Expiry Date: This permission will cease to have effect on 27/06/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the dwelling presently known as Tudor Lodge Cottage. To confirm the extent of the domestic curtilage, it is recommended that an Application for a Property Search is submitted to receive a plan outlining the area of domestic curtilage.

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/2023/0816
Property Ref: H002310000
Valid date: 23/05/2023
Location: Tudor Lodge Cottage Forest Road Forest Guernsey GY8 0AG
Proposal: Demolish chimney and raise roof ridge height at second floor level to east elevation.

Applicant: Assissi 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. Notwithstanding the details submitted, the external elevation of the extended east gable wall shall be constructed in stone to match as closely as possible the existing

external east gable wall.

Reason - In the interests of visual amenity and to conserve the character and appearance of the Conservation Area.

INFORMATIVES

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the dwelling presently known as Tudor Lodge Cottage. To confirm the extent of the domestic curtilage, it is recommended that an Application for a Property Search is submitted to receive a plan outlining the area of domestic curtilage.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested to demolish chimney and raise roof ridge height of the east wing of the building by 1m and including install rooflights to the front (north) and rear (south) elevations and reposition window at 2nd floor level in the east gable.

The site consists of a traditional two storey building comprising of 2 dwellings and associated outbuildings. There is an animal sanctuary within the outbuilding to the rear of the dwellings and a large area of agricultural land to the west and south is also under the same ownership. The whole of the site is Outside of the Centres. The northern part of the site adjacent to the highway including the dwellings and associated outbuildings is within a Conservation Area.

Relevant History:

27/12/2001 – PAPP/2001/4262 – Permission granted for the change of use of guest house and self-catering unit to two dwellings.

Existing Use(s):

Residential use class 1: dwelling house

Assessment: *(Tick as appropriate)*

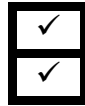
no representation
accords with policy

✓
✓

visual amenity acceptable
no material neighbour impact

✓
✓

within curtilage
design acceptable



traffic not affected



Policies considered most relevant:

GP4: Conservation Areas
GP8: Design
GP9: Sustainable development
GP13: Householder development

Conclusion/Brief comment:

The loss of the chimney is somewhat unfortunate but the extended ridge height would remain subservient to the main building to which it is attached and the pitch of the roof would increase to match the pitch of the existing dwelling. Notwithstanding the note on the submitted plans 356/C5 and 356/C7, the agent has confirmed that the east gable would be extended in granite painted externally to match the existing rough finish. The character of the extended building would be partially eroded but the overall standard of design would be of a sufficient quality to conserve the character and appearance of the Conservation Area, in accordance with Policies GP4 and GP8.

The installation of a Cabrio balcony to the rear elevation has the potential to increase overlooking of the adjoining dwelling. However, due to a combination of the existing relationship and degree of privacy/overlooking between the properties and the angle of view from the Cabrio balcony, the proposal is unlikely to have a material adverse effect on the amenities of neighbouring residents.

Information has been submitted to demonstrate that the design has taken into account the use of energy and resources, in accordance with Policy GP9.

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.

It is recommended that the application is approved.

Recommendation:

Grant with Conditions



Date: 27/06/2023

