

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: Extend and alter at ground floor level, raise roof ridge height to create 1st floor accommodation, remove hedge and erect wall to south boundary.

LOCATION: Andalucia, Collings Road, St. Peter Port.

APPLICANT: Mr & Mrs M & K Baudains

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: 10/08/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/06/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Brian R Martel - 4229.02.01, 02, 03, 04 & 05, & Block Plan.

Application Ref: FULL/2023/0857

Property Ref: A208310000

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.No cladding shall be brought to the site until such time as details of the type, texture and colour of the cladding material to be used have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - The proposed composite cladding material is not specified on the drawings submitted. The condition is required in the interests of visual amenity given the extent of the cladding used as part of the proposed development.

5.The first floor windows to the east and west elevations at first floor level shall be fixed shut and glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) and shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

6.The replacement roadside pillar hereby approved shall be finished in render to match as closely as possible to the existing pillar.

Reason- in the interests of visual amenity.

7.The new 1800mm high boundary wall to the rear (south) of the property shall be finished in render on both sides within 2 months of its construction.

Reason- in the interests of visual amenity.

8.The first floor dormer windows to the south elevation at first floor level shall be glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) and shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

Expiry Date: This permission will cease to have effect on 09/08/2026 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/2023/0857
Property Ref: A208310000
Valid date: 06/06/2023
Location: Andalucia Collings Road St. Peter Port Guernsey GY1 1TX
Proposal: Extend and alter at ground floor level, raise roof ridge height to create 1st floor accommodation, remove hedge and erect wall to south boundary.

Applicant: Mr & Mrs M & K Baudains

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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. No cladding shall be brought to the site until such time as details of the type, texture and colour of the cladding material to be used have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - The proposed composite cladding material is not specified on the drawings submitted. The condition is required in the interests of visual amenity given the extent of the cladding used as part of the proposed development.

5. The first floor windows to the east and west elevations at first floor level shall be fixed shut and glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) and shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

6. The replacement roadside pillar hereby approved shall be finished in render to match as closely as possible to the existing pillar.

Reason- in the interests of visual amenity.

7. The new 1800mm high boundary wall to the rear (south) of the property shall be finished in render on both sides within 2 months of its construction.

Reason- in the interests of visual amenity.

8. The first floor dormer windows to the south elevation at first floor level shall be glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) and shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a detached dwelling located to the south of Collings Road and forms the entrance to Jardin De L'Epine. The property is located in a Main Centre Outer Area as designated in the Island Development Plan.

Planning permission is sought to extend and alter the property at ground floor level, raise the ridge height to create 1st floor accommodation, and remove hedge and erect a replacement wall to the rear (south) boundary.

Relevant History:

PREA/2023/0545	Alterations to dwelling and widen existing access/egress.	Granted
FULL/2019/0086	Infill windows on south elevation and infill window and erect fence on east elevation.	Granted
FULL/2014/0589	Demolish existing shed and greenhouse and erect wooden garage to rear of property.	Granted

Existing Use(s):

Residential

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

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.

The dwelling is highly visible in the street scene, however the proposal adopts a good standard of design by virtue of its scale, form, massing that respects the scale and form of properties in the locality.

Whilst the footprint of the property will be extended to the front to enclose a raised terrace, the resultant effect on the forward building line will be negligible when 'read' in the streetscene due to the staggered building line to the east and west of the application site.

Whilst it is acknowledged that the addition of composite cladding could comprise exempt development in respect of the existing walls of the dwelling, this would not extend to the areas of new development. Details of the composite cladding are not specified and it is considered reasonable and necessary to require full details of the

cladding given the visibility of the property in the street scene in order to comprehensively consider the design of the scheme as a whole.

Despite the close proximity to neighbouring properties, the proposal will not have a detrimental impact on the amenities of neighbouring residents when taking into account the obscure glazing proposed to the first floor windows to the east and west elevations, together with that proposed to the dormer window to the south. Whilst there is a slight discrepancy between the rear elevation drawing and the cross section which shows the position of the roof light to the rear of the property, it is not considered necessary to condition the roof-lights be obscure glazed given the cill height (1.5-1.7m), together with the distance to neighbouring properties to the south, and the difference between a roof light and a dormer window in terms of its (perceived) overlooking effect.

Overall, the proposal would not have a detrimental impact on the character of the 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, 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: 07/08/23