

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 outbuilding, erect single storey outbuilding to south-west boundary. Install rooflight to south (rear) elevation, alter bay roof, install dormer window to north (front) elevation and alterations to fenestration, remove hedge and erect fence to west and north boundary, erect shed to north-east boundary and install gate.

LOCATION: St Eia, Green Lanes, St. Peter Port.

APPLICANT: Mr R Quesnel

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: 10/07/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/06/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Arch+ - 149-03-301A, 302A, 303, 304, 305, 306 & 307.

Application Ref: FULL/2023/0888

Property Ref: A207820000

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.The north front boundary hedge shall not be removed until a landscaping scheme, specifically for the front earthbank, has been submitted to and agreed in writing by the Authority. The scheme must include full details any hedge planting and a planting schedules, noting the species, sizes, numbers and densities of any plants to be planted along the north boundary.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

5.The landscaping scheme hereby approved shall be fully completed in the first planting season after the approval date, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the landscaping scheme provides a biodiversity net gain for the site in line with the aims of the Strategy for Nature, 2020.

Expiry Date: This permission will cease to have effect on 09/07/2026 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/2023/0888
Property Ref: A207820000
Valid date: 08/06/2023
Location: St Eia Green Lanes St. Peter Port Guernsey GY1 1TN
Proposal: Demolish outbuilding, erect single storey outbuilding to south-west boundary. Install rooflight to south (rear) elevation, alter bay roof, install dormer window to north (front) elevation and alterations to fenestration, remove hedge and erect fence to west and north boundary, erect shed to north-east boundary and install gate.

Applicant: Mr R Quesnel

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. The north front boundary hedge shall not be removed until a landscaping scheme, specifically for the front earthbank, has been submitted to and agreed in writing by the Authority. The scheme must include full details any hedge planting and a planting schedules, noting the species, sizes, numbers and densities of any plants to be planted along the north boundary.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

5. The landscaping scheme hereby approved shall be fully completed in the first planting season after the approval date, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the landscaping scheme provides a biodiversity net gain for the site in line with the aims of the Strategy for Nature, 2020.

OFFICER'S REPORT

Site Description:

The property known as 'St Eia' is an early 20th century detached two storey dwelling which is set back from and faces north onto Green Lanes. Land rises up from north to south, so the property is set at a higher ground floor level than the road. To the east is an access road, Monplaisir, and there is a single car parking space in the southeast corner of the site with a lean-to garage built along the south boundary. There are other residential properties in each direction. The property is located in the St Peter Port Main Centre Outer Area as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

This application is to erect a single storey flat roof extension to the rear south elevation, a new flat roof dormer and rooflight installed on the north front roof slope and two rooflights on the south roof slope and some alterations to the fenestration.

Demolish the existing garage and rebuild a new outbuilding in the southwest corner of the site, adding car parking (exempt) along the south boundary with a new gate where the front of the garage was.

Remove the boundary hedge along the west and north boundaries and replace with a 1.8m fence along the western boundary up until the front façade of the dwellings, where the fence will lower to 1.2m. The 1.2m fence will continue along the front north boundary and landscaping will be planted on the earthbank in front of the new fence.

Finally a small timber shed is to be located in the northeast corner of the site near the front steps that lead to the front door.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Representations:

There has been one letter of representation which has noted one issue:

- The location of the outbuilding on the drawings is shown 500mm further west than the front of the neighbour's garage, located to the south of the proposed outbuilding location. The neighbours have requested that the outbuilding be moved eastward by 500mm so the two buildings line up. The letter states that the applicants have agreed to the change, and the neighbours would like to see this change reflected on the revised drawings.

Consultations:

None

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Initially the proposals showed a 1.8m high fence along the whole of the west and north boundaries, which was not considered appropriate. The application was deferred to allow the agent to amend the drawings.

Dwelling

The proposals are considered to achieve a good standard of design, using materials which complement the existing materials. The extension and new dormer will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation.

The scale and massing of the new extension and dormer are not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it have any impacts on either of the immediate neighbours.

Outbuilding & gate

The existing garage is of no architectural merit and therefore is able to be demolished, a new outbuilding is proposed to be built further along the south boundary to allow for more car parking on site.

The new single storey flat roof outbuilding is not considered to impact on any neighbour amenity, nor will it affect the character of the surrounding area.

The new gate will be located where the front of the existing garage is located at present, which is set back from the southeast corner. The new gate is considered to be an appropriate replacement for the garage façade, allowing more off street parking for the dwelling.

No revised drawings have been received to reflect the changes requested by the neighbours. Should the position of the outbuilding be revised it may be necessary to submit an application for a minor variation.

Replacing the hedge with a fence

The hedge to be removed is considered to be a healthy hedge, however it is the homeowners choice to replace it with a 1.8m high fence to the rear and side of the property along the west boundary. The fence will now be lowered to 1.2m forward of the building line along the west boundary and along the front north boundary. In order to screen the fence there will be a new hedge and other planting along the northside of the new north fence in the earthbank that forms part of the north boundary, this can be conditioned.

The change will be an improvement to what is there, which is artificial grass. So although there is a biodiversity loss due to the hedge removal, there is also a biodiversity gain from the removal of the artificial grass and planting of a new hedge and plants. The changes to the front of the property will improve the visual amenity of the Green Lanes.

New shed

The size of the shed means it would have been exempt had it been located towards the rear of the property. However, its location within the front garden is acceptable as due to the topography of the land the shed will be tucked way out of sight from any public views, behind two mature boundary hedges. This combined with the fact the shed is only 1.5m high, means that it is not considered to have any impacts on the character of the area nor will it impact on neighbour amenity.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

3 - General material considerations set out in the General Provisions Ordinance.

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. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 10/07/2023