

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 extension, erect two-storey extension to east elevation, erect extension at first floor level to south elevation and alterations to fenestration.

LOCATION: Nautilus, Rue A L'Or, St. Peter Port.

APPLICANT: Mr & Mrs Fox

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: 06/09/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 14/07/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DLM Architects: 1141_16, _17, _18, _19, _20, _21, _22A, _23A, _24 & _25.

Application Ref: FULL/2023/1002

Property Ref: A30866A000

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 development shall begin on site until large scale drawings at 1:20 scale of the external angled timber detailing to be installed at first floor level to the south facing elevation window (serving the kitchen) have been submitted to and approved in writing by the Authority.

Reason - To secure the satisfactory appearance of the completed development and to protect the reasonable amenities of neighbouring residents.

5.The external angled timber detailing shall be installed in accordance with the details pursuant to condition 4 of this permission and in the position shown on drawings 1141_20 & 1141_22A at first floor level within 28 days following the installation of the first floor window in the south elevation serving the kitchen and shall be retained as such thereafter.

Reason - To protect the reasonable amenities of neighbouring residents.

6.Prior to the first use of the first floor patio/balcony (however named) hereby approved, the timber balustrade and timber clad screening shall be installed in the positions shown on drawing refs 1141_20, 1141_22A and 1141_23A and shall be retained as such thereafter.

Reason - To protect the reasonable amenities of neighbouring residents.

7.Full details at a scale of 1:20 of the timber cladding hereby permitted (including any finish to be applied) shall be submitted to and agreed in writing by the Authority. The scheme shall be built in accordance with the approved details and any agreed finish shall be applied within 28 days of construction.

Reason - To secure the satisfactory appearance of the completed development.

Expiry Date: This permission will cease to have effect on 05/09/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The details required to satisfy condition 4 of this permission will need to demonstrate how the timber detailing will be installed (including but not limited to the space between the vertical slats and their angle), to ensure that their objective to protect the amenities of the neighbouring property to the south is achieved.

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/2023/1002
Property Ref: A30866A000
Valid date: 14/07/2023
Location: Nautilus Rue A L'Or St. Peter Port Guernsey GY1 1QG
Proposal: Demolish extension, erect two-storey extension to east elevation, erect extension at first floor level to south elevation and alterations to fenestration.

Applicant: Mr & Mrs Fox

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. No development shall begin on site until large scale drawings at 1:20 scale of the external angled timber detailing to be installed at first floor level to the south facing elevation window (serving the kitchen) have been submitted to and approved in writing by the Authority.

Reason - To secure the satisfactory appearance of the completed development and to protect the reasonable amenities of neighbouring residents.

5. The external angled timber detailing shall be installed in accordance with the details pursuant to condition 4 of this permission and in the position shown on drawings 1141_20 & 1141_22A at first floor level within 28 days following the installation of the first floor window in the south elevation serving the kitchen and shall be retained as such thereafter.

Reason - To protect the reasonable amenities of neighbouring residents.

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Reason - To protect the reasonable amenities of neighbouring residents.

7. Full details at a scale of 1:20 of the timber cladding hereby permitted (including any finish to be applied) shall be submitted to and agreed in writing by the Authority. The scheme shall be built in accordance with the approved details and any agreed finish shall be applied within 28 days of construction.

Reason - To secure the satisfactory appearance of the completed development.

INFORMATIVES

The details required to satisfy condition 4 of this permission will need to demonstrate how the timber detailing will be installed (including but not limited to the space between the vertical slats and their angle), to ensure that their objective to protect the amenities of the neighbouring property to the south is achieved.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a two storey detached property situated behind a row of properties that front onto Rue A L'Or. The property is accessed onto Rue A L'Or to the north via a small entrance drive. Surrounding the site, the area comprises

residential properties to the north, east and west with college playing/recreation fields to the southwest.

The site is situated within a Main Centre Outer Area and Conservation Area as designated in the Island Development Plan.

Relevant History:

PAPP/2001/2145	Construct conservatory at first floor level	Granted 30/08/2001
PAPP/1999/2459	Extend dwelling at first floor level	Granted 13/07/1999
PAPP/1999/1836	Extend dwelling at first floor level	Withdrawn 24/06/1999
PAPP/1999/0250	Extend dwelling at first floor level	Granted 07/04/1999
PAPP/1998/2870	Extend dwelling at first floor level	Refused 15/09/1998

Existing Use(s):

Residential – Use Class 1

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:

Planning permission is sought to demolish an existing extension and first floor conservatory and to erect a two storey extension to the east elevation, a first floor extension to the south elevation and alterations to the fenestration.

The site is within a Conservation Area. It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting Conservation Areas, to secure so far as possible that the special historic,

architectural, traditional or other special characteristics are preserved. This is reflected in Policy GP4 which supports development that conserves, and where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area.

Within Conservation Areas Policy GP8 seeks to ensure that new development achieves a particularly high standard of design whilst making effective and efficient use of land and respecting the character of the local built environment or the open landscape concerned. Development should also give consideration to the amenities of occupiers and surrounding neighbours, provide soft and hard landscaping where this reinforces local character or mitigates the development.

The proposed extensions and alterations are of an appropriate scale, mass and form so as not to detract from the openness of the surrounding area. The extensions and alterations have been designed to be subservient to the host dwelling and the materials to be used will enhance the appearance of the existing dwelling. Given the location of the property behind residential properties to the north, east and west, the proposed alterations will be screened from public vantage points within the area and would therefore not cause harm to the character or appearance of the surrounding Conservation Area. Overall, the scheme represents high quality design in accordance with Policies GP4 and GP8.

Although the two storey extension to the east will be built close to the boundary shared with the neighbouring properties in this direction, all of the properties have relatively large garden areas and two of the properties have outbuildings situated along the boundary and any harm to these properties from an overshadowing perspective would be limited. Although the proposal will have the potential to overshadow part of the garden area of the property Millbrook to the northeast and La Niche to the north, any overshadowing would be limited to a short period of the day and would not be so substantial to warrant the refusal of permission.

With regard to privacy, although a new window is proposed in the south facing elevation at first floor level, external angled timber detailing is proposed to be installed (louvered effect) across the window to obscure sensitive views over the neighbouring property towards the southeast, whilst providing light to the internal room. To the east the window at first floor level would be a high level window installed 2.6m above the internal finished floor level and the lower window will be installed with obscure glazing to match the original window. The existing balcony (referred to as a patio on the drawings) will be retained, and as shown on the first floor layout drawing and the elevation drawings, in addition to the timber balustrade, timber clad screening is proposed to be installed along part of the west and south boundaries to prevent views from the balconies towards the neighbouring properties whilst focussing views to the southwest across the collage fields. The design of the scheme and the impact on neighbouring properties has been well considered and the proposal would not cause undue harm. It is recommended that any permission is conditioned to ensure that both the balcony screening and the angled window screening are installed in a timely manner.

For the above reasons it is considered that the proposal accords with Policies GP8 and GP13 of the Island Development Plan.

The applicants agent has demonstrated that the design and specification of the extensions/alterations proposed comply with all parts of the Guernsey Technical Standards 2012 adopted by the Building Control Department, specifically in terms of: thermal efficiency (insulation); drainage; water efficiency; materials to be used; waste storage and disposal; and the conservation of fuel and power. The scheme has been designed to take into account the use of energy and resources and to reduce any impact on the environment and therefore complies with Policy GP9 of the Island Development Plan.

Sufficient car parking exists at the site to accommodate the required level of off road car parking in accordance with the requirements of the Island Development Plan. The proposal would not cause a detriment to highway safety.

The drawings also show the installation of insulated external render and solar panels however these are Exempt works under the Land Planning and Development (Exemptions) Ordinance, 2023 and do not require planning permission and have not formed part of the assessment of this application.

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.

Recommendation:

Grant with Conditions



Date: 05/09/2023