

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 1st floor level to south (rear) elevation.

LOCATION: Les Clercs, Petils Lane, Vale.

APPLICANT: Petit Marais Holdings Ltd

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: 17/10/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 28/07/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services - 6016/E/6

Application Ref: FULL/2023/1227

Property Ref: C003430000

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 information submitted, the flue hereby approved shall be finished in matt black within 28 days of installation.

Reason - The proposed position and height of the flue will make it a prominent feature in the street scene. Finishing the flue in matt black will 'soften' its appearance and help it to assimilate the flue with the slate roof, and thus reduce its visual impact.

Expiry Date: This permission will cease to have effect on 16/10/2026 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/2023/1227
Property Ref: C003430000
Valid date: 28/07/2023
Location: Les Clercs Petils Lane Vale Guernsey
Proposal: Extend and alter at 1st floor level to south (rear) elevation.

Applicant: Petit Marais Holdings Ltd

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.

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INFORMATIVES

OFFICER'S REPORT

Site Description:

The site is located outside of the Centres and is the subject of no other designation under the Island Development Plan.

The application site comprises part of a former vinery, the glass to which was cleared at some point during the period 1979 to 1990 (based on archive aerial photographs).

The former packing shed was granted planning permission to be converted, and then subsequently demolished and rebuilt under applications FULL/2019/0585 and FULL/2020/0539 respectively. The whole of the land parcel has been recognised as domestic curtilage.

As part of planning application (FULL/2021/1625), it was regarded that the building works are complete to a stage that the structure can be recognised as a dwelling-house. The more recent applications involved erecting 1.5 storey extensions to the side elevations (east and west) and walls (FULL/2022/0011), and a 1.5 storey extension (FULL/2022/1354) and a single storey flat roof extension (FULL/2023/0384) to the rear (south) elevation.

Relevant History:

FULL/2023/0384	Erect single storey extension to south (rear) elevation and install first floor window to east (side) gable.	Granted
PREA/2023/0191	Erect a conservatory.	Pre-application enquiry
FULL/2022/1354	Erect 1.5 storey extension to south (rear) elevation and install window to west (side) elevation.	Granted

FULL/2022/0011	Erect 1½ storey extensions to west (side) and east (side) elevations and erect wall and retaining wall with gated pedestrian access.	Granted
FULL/2021/1625	Variations to plans previously approved to demolish packing shed and erect dwelling - raise roof ridge height and install dormer windows and rooflights to create 1st floor accommodation.	Granted
FULL/2019/0585	Conversion of packing shed to dwelling. Demolish section of outbuilding. Reduce height of chimney on south elevation. Alterations to fenestration.	Granted
FULL/2020/0539	Demolish packing shed and erect dwelling.	Granted

Existing Use(s):

Residential

Brief Description of Development:

Planning permission is sought to extend and alter the dwelling at 1st floor level to the south (rear) elevation.

The application includes a pitched roof extension over part of the recently approved flat roof extension, incorporating a flat roof link between both pitched roofs.

The proposed extension will incorporate a Juliet balcony (serving bedroom 2) and a rooflight on the south elevation (serving bedroom 3).

It is also proposed to extend the previously approved 1.5 storey extension serving the master bedroom by 1.5m, and to omit the approved balcony/balustrading.

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

GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Representations:

The Authority has received a letter of representation from one party objecting to the proposal. Grounds for objection principally relate to the following issues:-

- The installation of a stainless steel flue.

Consultations:

None.

Summary of Issues:

- Whether the design, scale, mass, siting, form and materials of the proposed development is acceptable.
- The impact of the development on the character and appearance of the area.
- The impact of the development on neighbour amenity.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

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.

Policy GP13 (Householder Development) states that proposals for the alteration and/or extension of residential properties within the residential curtilage, will be supported where there are no significant adverse effects on the amenities of neighbouring properties; the design, scale, mass and form would not detract from the open character of open locations; and they do not affect the special interest of Conservation Area, Area of Biodiversity Importance, protected building or protected monument.

In this instance Policy GP8 (Design) is also relevant. In addition, the preceding text to this policy refers to the need to consider the material planning considerations as specified in Part IV, Section 13 of the Land Planning and Development (General Provisions) Ordinance 2007. These include the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used, as well as its likely effect on the character and amenity of the locality in question and its likely effect on the reasonable enjoyment of neighbouring properties.

As per application the most recent application FULL/2022/1354, the site is located on a corner plot which is sensitive to change. Whilst the cumulative mass of the property has been increased again the resultant effect is not considered to cause undue harm to the surrounding built environment, or visual amenity, and any impact would not be so substantial to rebut the general support in favour of householder development as set out in Policy GP8 and GP13.

Consequently, despite its size, the proposed pitched roof extension and flat roof link, together with the increased floor area to the approved 1.5 storey extension, achieves an acceptable scale, form, mass siting and materials and therefore achieves a 'good' standard of design for the purposes of Policy GP8. Despite its piecemeal style of application submissions, the proposal achieves a cohesive design.

Due to the position of the flue to public vantage points together with its size and finish, it is considered reasonable and necessary to ensure that the flue is finished in matt black to 'soften' its visual impact and relate better to the property.

The representation received has been carefully considered as part of this application. The installation of a flue is a reasonable aspiration of the property owner and there is unlikely to be any material adverse as a result of the flue, or proposal in its broader terms, towards neighbouring residents that would reasonably warrant refusal. Should emissions/smoke from the flue become a nuisance this can be dealt with under environmental health legislation.

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; it is therefore recommended that planning permission be granted, subject to conditions.

Date: 16/10/23

