

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 chimneys, install windows at second floor level to west (front) and east (rear) gable and rooflights to south (side) elevation.

LOCATION: The Pink House, Rue Des Marais, St. Pierre Du Bois.

APPLICANT: Mr & Mrs C Taylor

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: 05/10/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/08/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTECH Freelance Architecture: CT-23-1134-02A

Application Ref: FULL/2023/1383

Property Ref: F004710000

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 second floor east gable window serving a bathroom shall be glazed with obscure glass, to a minimum level 3 on the Pilkington scale (or equivalent) and thereafter be retained at all times.

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

5.Notwithstanding the submitted details, the cills of the rooflight in the south facing elevation of the proposals hereby approved (serving the second floor) shall be set a minimum of 1.7 metres above finished floor level and shall be retained as such thereafter in perpetuity.

Reason - To protect the reasonable amenities of neighbouring residents.

Expiry Date: This permission will cease to have effect on 04/10/2026 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/2023/1383
Property Ref: F004710000
Valid date: 23/08/2023
Location: The Pink House Rue Des Marais St. Pierre Du Bois Guernsey
GY7 9LD
Proposal: Demolish chimneys, install windows at second floor level to
west (front) and east (rear) gable and rooflights to south (side)
elevation.
Applicant: Mr & Mrs C Taylor

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 second floor east gable window serving a bathroom shall be glazed with obscure glass, to a minimum level 3 on the Pilkington scale (or equivalent) and thereafter be retained at all times.

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

5. Notwithstanding the submitted details, the eaves of the roofline in the south facing elevation of the proposals hereby approved (serving the second floor) shall be set a minimum of 1.7 metres above finished floor level and shall be retained as such thereafter in perpetuity.

Reason - To protect the reasonable amenities of neighbouring residents.

INFORMATIVES

OFFICER'S REPORT

Brief Description of the site:

The property known as 'The Pink House' is an early 20th century detached two and a half storey dwelling which is set back from and faces west onto Rue des Marais. There are detached neighbouring properties to the north and south and across the road to the west. The land to the east is at a higher level and belongs to the southern neighbour, beyond which is a Site of Special Significance.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

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:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

This application is to demolish the three existing chimneys and make good, install a window into an existing opening on the east/rear gable at second floor level, install a new rooflight on the south roof slope and install a large second floor gable window to the west/front elevation.

The demolition of the three chimneys are now considered exempt works and therefore they will not be assessed within this report.

The second-floor new window in an existing opening is not considered to have any impacts, as there is at least 10m to the boundary with the neighbour to the south and the window serves a bathroom and will have opaque glazing.

The new roof light on the southern roof slope is positioned within the 10m of the boundary with the neighbour, therefore a condition shall be added to ensure the cill level of the rooflight is at a height of 1.7m to ensure there will not be any overlooking.

The large second floor window on the west front gable elevation is also considered acceptable. There are existing windows in the front elevation of the property facing neighbours across the road. The proposed window only overlooks the front garden/driveways of the nearby properties, which are all considered the more public areas of a property and not part of the private amenity spaces.

The proposals are considered to achieve a good standard of design, utilizing the second floor for a master bedroom and ensuite. The loft extension will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation.

The proposals not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it have any impacts on any of the immediate neighbours.

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.

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: 05/10/2023

