

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: Erect 2 storey extension to south (side) elevation, single storey extension to west (rear) elevation and alterations to porch and fenestration.

LOCATION: 16 La Planque Estate, Skins Lane, St. Peter Port.

APPLICANT: Mr & Mrs J O'Connor

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: 06/12/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 25/08/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Paul Vaudin - 23-019-03A (rec'd 05/12/2023)

Application Ref: FULL/2023/1503

Property Ref: A210250016

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.

Expiry Date: This permission will cease to have effect on 05/12/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the erection of an extension to be used as an integral part of and incidental to the principal dwelling presently known as 16 La Planque Estate. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

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/2023/1503
Property Ref: A210250016
Valid date: 25/08/2023
Location: 16 La Planque Estate Skins Lane St. Peter Port Guernsey GY1 1RY
Proposal: Erect 2 storey extension to south (side) elevation, single storey extension to west (rear) elevation and alterations to porch and fenestration.
Applicant: Mr & Mrs J O'Connor

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.

INFORMATIVES

For the avoidance of doubt, this decision permits the erection of an extension to be used as an integral part of and incidental to the principal dwelling presently known as 16 La Planque Estate. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

OFFICER'S REPORT

Site Description:

The property is a 1970's two storey attached property with an attached single storey garage. The property is set back from and faces east onto La Planque. The attached dwelling is to the north and the garage of the next property is attached to the south. All the other dwellings along this road are of the same external design, spacing and layout.

The property is in the St Peter Port Main Centre Outer Area as defined in the Island Development Plan.

Relevant History:

N/A

Existing Use(s):

01 Dwellinghouse

Brief Description of Development:

The proposal is for a two-storey side extension which provides additional living accommodation.

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

GP8 – Design

GP9 – Sustainable Development

GP13 – Householder Development

Representations:

Eleven letters of objection have been received; these have been summarised below:

- Out of character, incongruous and will disrupt the pattern and symmetry of development.
- Will worsen existing parking problems

- Impact on daylight and sunlight
- Surface water drainage concerns
- Proposed cladding and windows will not blend into the existing street scene where render and white windows are predominant
- Loss of privacy and impact on amenity
- Will set an unwelcome precedent
- No external access to garden
- Concern that existing garage structure would not be strong enough to support a first floor. The proposed construction could affect the attached property negatively.
- The site notice not displayed correctly and was not visible from pavement for required length of time. *Officer note - the site notice was not present during site visit. A replacement was displayed for an additional 21-day consultation period.*

Consultations:

N/A

Summary of Issues:

- Principle of development
- Impact on neighbours
- Impact on character of the area - materials and design
- Other issues
 - Surface water drainage
 - Parking problems
 - No access to garden
 - Impact on attached dwelling

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).**

The application proposes extensions to an existing dwelling, and the principle of development is therefore acceptable in relation to Policy GP13 which allows householder developments, such as extensions, where they do not have adverse impacts on the amenities of neighbours, they do not detract from the open character of open locations, and they do not adversely impact on Conservation Areas, Areas of Biodiversity Importance, Protected Buildings or Monuments.

Impact on amenity:

The impact on neighbours is considered acceptable. The rear flat roof extension is not likely to result in harm to amenity through overlooking due to the single storey design and the extensions are not anticipated to increase the level of noise or disturbance beyond that generally expected within a residential garden. The new first floor extension and windows at this level do not significantly alter the existing relationship between the dwelling and its neighbours, such that they would result in additional overshadowing or overlooking.

Impact on the character:

Neighbour concerns have been raised regarding the impact of the development on the existing pattern of housing and character. The proposed extension reduces the physical gap between the dwellings, but the subservience at first floor, created through the lower height of the roof and the set back of the first floor from the front elevation, ensures that the proposal is not harmful in the street scene. There is some loss of symmetry and the introduction of an additional front door, adjacent window and two small windows at first floor results in a somewhat congested frontage. On balance, however, it is not considered to be significantly harmful to warrant the refusal of the application, as the site is not located within a Conservation Area or sensitive landscape setting, which means that the freedom of personal choice in design matters afforded by Policy GP13, allows for this flexibility in design. The use of cladding is also considered to be acceptable.

The installation of an additional staircase, and separate front door is unusual in a dwelling of this size. However, the inclusion of an internal connection between the extension and main dwelling at first floor level ensures that the proposed accommodation remains physically well linked to the host dwelling. An informative note has been added to remind the applicant that any future use of the extensions as a separate unit of accommodation would be unauthorised and subject to enforcement action.

Other matters:

Other issues which have been considered include the impact on parking as the application involves the loss of the existing garage, however as the proposal is for an extension and not a new dwelling, there is no significant increase in parking anticipated and no requirement for new parking. The site benefits from one off-road parking space, with un-restricted residential parking available on La Planque.

Neighbours have noted that the access to the rear garden will be lost, however this is not contrary to any policy and is a matter for the applicant's personal preference.

The impact of the proposal in relation to possible effects on structural integrity and foundations, and regarding drainage and guttering, are private civil matters between the parties concerned and not material planning considerations which would

influence a decision on this planning application. However, it is expected that the extension would tie into the existing dwelling's guttering and surface water drainage system, and this would be considered in further detail at the Building Regulations stage.

Date: 06/12/2023

