

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 east (side) elevation, install rooflight to north (front) elevation and alterations to fenestration.

LOCATION: Babalas, 1 Clos De Ruettes Brayes, Ruettes Brayes, St. Peter Port.

APPLICANT: Mr & Mrs R Courtney

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: 29/11/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/09/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: The Drawing Room Ltd: 222/C1A, /C2A, /C3A, /C4A, /C5A & /C9A.

Application Ref: FULL/2023/1524

Property Ref: A405210001 + J00435A001

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.Details of the hedge along the east boundary, including the species, size and density of plants at the time of planting, shall be submitted to and approved in writing by the Authority prior to the first occupation or the completion of the extension whichever is the sooner.

Reason - In the interests of visual amenity.

5.The hedge along the east boundary shall be planted, in accordance with the details agreed under the terms of the above condition 4, in the first planting season following the first occupation of any part of the extension or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - In the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 28/11/2026 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/2023/1524
Property Ref: A405210001 + J00435A001
Valid date: 18/09/2023
Location: Babalas 1 Clos De Ruettes Brayes Ruettes Brayes St. Peter Port Guernsey
Proposal: Erect 2 storey extension to east (side) elevation, install rooflight to north (front) elevation and alterations to fenestration.
Applicant: Mr & Mrs R Courtney

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).

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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. Details of the hedge along the east boundary, including the species, size and density of plants at the time of planting, shall be submitted to and approved in writing by the Authority prior to the first occupation or the completion of the extension whichever is the sooner.

Reason - In the interests of visual amenity.

5. The hedge along the east boundary shall be planted, in accordance with the details agreed under the terms of the above condition 4, in the first planting season following the first occupation of any part of the extension or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - In the interests of visual amenity.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested to erect a 2 storey extension to the east (side) elevation, install rooflight to north (front) elevation and alterations to fenestration. The proposed alterations to the ground levels of a maximum of 500mm and the erection of retaining walls to form terrace areas within the rear garden constitute exempt development and do not require planning permission.

The site consists of a detached dwelling with an asymmetrical roof resulting in the appearance of a 1½ storey property to the front and a 2 storey property to the rear. The property is situated to the south of Ruettes Brayes, adjacent to the former Braye Lodge Hotel and is 1 of 4 dwellings which form Clos de Ruelle Brayes. The site is in a Main Centre Outer Area.

Relevant History:

25/04/2019 – FULL/2019/0234 – Permission granted to demolish conservatory, chimney and outbuildings. Erect single storey extension to east gable, erect 2 storey extension to west gable. Install rooflights to north roofslope and alterations to fenestration. Erect 1st floor balcony with access stairs to south (rear) elevation. Replace hedge to east boundary and widen vehicular access.

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:

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP13: Householder Development

Conclusion/Brief comment:

The extension would be highly visible when travelling along Ruelle Brayes from east to west. However, the existing dwelling is of no particular architectural merit, the extension would be subservient to the existing dwelling, and although of contrasting form and materials, in less sensitive areas such as this Policy GP8 provides support for personal choice in design matters. As a whole the extension achieves a satisfactory standard of design and would have no significant adverse effects on the character and visual amenity of the area. The proposal accords with Policy GP8.

Due to the distance to neighbouring residential properties the extension and first floor terrace is unlikely to have any adverse effects on the amenities of neighbouring residents.

Information has been submitted to demonstrate that the design has taken into account the use of energy and resources, in accordance with Policy GP9.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

It is recommended that the application is approved.

Recommendation:

Grant with Conditions

✓

Date: 28/11/2023

