

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: Variations to plans previously approved to extend and alter at lower ground floor and ground floor levels and landscaping, alter fenestration to front of dwelling - Omit lower ground floor store, increase ground floor level to rear, materials, fenestration and terrace area alterations.

LOCATION: Mont Saint Lodge, Rue Des Hougues, St. Saviour.

APPLICANT: Mr & Mrs J Thomason

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 27/09/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton Associates - 2221 03.03C, 03.04B, 03.05B & 03.06B.

Application Ref: FULL/2023/1621

Property Ref: E006790000

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 on or before 03/11/2025.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2022/1463.

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 04/11/2022, issued under planning application reference FULL/2022/1463, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

Expiry Date: This permission will cease to have effect on 03/11/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Notwithstanding the information submitted, the 'Proposed Trees - Reference on plan to be read in connection with tree schedule', should reference T7, T8 and T9, not T10, T11 and T12 as noted in the Tree Key on drawing 03.03C.

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/2023/1621
Property Ref: E006790000
Valid date: 27/09/2023
Location: Mont Saint Lodge Rue Des Hougues St. Saviour Guernsey
GY7 9XP
Proposal: Variations to plans previously approved to extend and alter at lower ground floor and ground floor levels and landscaping, alter fenestration to front of dwelling - Omit lower ground floor store, increase ground floor level to rear, materials, fenestration and terrace area alterations.
Applicant: Mr & Mrs J Thomason

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 on or before 03/11/2025.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2022/1463.

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 04/11/2022, issued under planning application reference FULL/2022/1463, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

INFORMATIVES

Notwithstanding the information submitted, the 'Proposed Trees - Reference on plan to be read in connection with tree schedule', should reference T7, T8 and T9, not T10, T11 and T12 as noted in the Tree Key on drawing 03.03C.

OFFICER'S REPORT

Brief Description of the site:

Mont Saint Lodge is a late 1960s/early 1970s long pitched roof split-level bungalow with basement garage.

The site is situated outside of the Centres and within an Agriculture Priority Area as defined in the Island Development Plan.

The site has been subject to multiple permissions in recent years to extend and alter the dwelling. The focus on this application stems back to application (FULL/2022/1463) which was granted permission to principally extend and alter the lower ground floor and ground floor levels. Permission was subsequently granted in relation to removal of trees, a hedge and installation an air source heat pump. It is understood that works have commenced on site.

Planning permission is sought to vary that permission by omitting the lower ground floor store, increasing the ground floor extension to the rear, as well as altering the materials, fenestration, cladding and terrace area of the approved scheme. The position of the entrance hall and chimney to the front of the property has also been repositioned, together with alterations to the front door.

The approved works to the trees as part of FULL/2023/0224 have also been included on the drawings submitted.

Relevant History:

FULL/2023/0360	Install air source heat pump and fence to south-east boundary.	Granted
FULL/2023/0224	Variation to plans previously approved (FULL/2022/1463) - fell and replant trees (Condition 4).	Granted
FULL/2022/2065	Remove and replace section of hedge to north-west boundary.	Granted
FULL/2022/1463	Extend and alter at lower ground floor and ground floor levels and landscaping, alter fenestration to front of dwelling and erect roadside wall to create pedestrian access and alter existing vehicle access, erect gate to side and front of dwelling.	Granted

Existing Use(s):

Residential

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:

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.

The proposed changes to the scheme are inconsequential to the overall design of the scheme and achieve a good standard of design by virtue of its scale, form, massing, siting and materials for the purposes of Policy GP8.

The proposed changes will not adversely affect the character of the area, visual amenity, or the amenities of neighbouring residents.

No letters of representation have been received.

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, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 28/11/23