

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 previously approved plans for refurbishment, erection of single storey extension to south-east (rear) elevation, alterations to fenestration and internal alterations, erect gate and widen vehicular access (Protected Building) - Replacement retaining wall, steps and landscaping changes (rear); Extend hardsurfacing (front)

LOCATION: La Bellieuse, Les Traudes, St. Martin.

APPLICANT: Mr & Mrs Moore

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: 22/05/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/02/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: CCD Architects - 3559 PD/01F, PD/04F, WD/10C, DD/12A & DD/19D

Application Ref: FULL/2024/0287

Property Ref: J003120000+J003100000

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. Prior to the use of the land forward of the building for parking, the planters shown on the plans hereby approved within that area and to the south-west of the building shall be formed and full details of tree and hedge planting within those planters, to include planting schedules noting the species, sizes, numbers and densities of plants, shall be submitted to and agreed in writing by the Authority. The planting shall thereafter be fully completed, in accordance with the approved details, in the first planting season following the installation of the planters or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

5. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 12/01/2021, issued under planning application reference FULL/2020/0287, and subject to the terms and conditions thereof.

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

Expiry Date: This permission will cease to have effect on 22/05/2027 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/2024/0287
Property Ref: J003120000+J003100000
Valid date: 20/02/2024
Location: La Bellieuse Les Traudes St. Martin Guernsey GY4 6RW
Proposal: Variations to previously approved plans for refurbishment, erection of single storey extension to south-east (rear) elevation, alterations to fenestration and internal alterations, erect gate and widen vehicular access (Protected Building) - Replacement retaining wall, steps and landscaping changes (rear); Extend hardsurfacing (front)

Applicant: Mr & Mrs Moore

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. Prior to the use of the land forward of the building for parking, the planters shown on the plans hereby approved within that area and to the south-west of the building shall be formed and full details of tree and hedge planting within those planters, to include planting schedules noting the species, sizes, numbers and densities of plants, shall be submitted to and agreed in writing by the Authority. The planting shall thereafter be fully completed, in accordance with the approved details, in the first planting season following the installation of the planters or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

5. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 12/01/2021, issued under planning application reference FULL/2020/0287, and subject to the terms and conditions thereof.

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

OFFICER'S REPORT

Brief Description of the site:

The application property comprises a large protected building (exterior only) currently undergoing refurbishments, located within the St Martin Local Centre and a Conservation Area under the Island Development Plan (IDP). The site adjoins and stands opposite a number of protected buildings, including the St Martin Parish Church.

Relevant History:

FULL/2020/2092 Full refurbishment, erect single storey to south-east (rear) elevation, alterations to fenestration and internal alterations, erect gate and widen vehicular access. (Protected Building). Approved 12/01/21

Existing Use(s):

Residential Use Class 1

Assessment: *(Tick as appropriate)*

no representation	X
accords with policy	X
within curtilage	X
design acceptable	X

visual amenity acceptable	X
no material neighbour impact	X
traffic not affected	X

Policies considered most relevant:

GP4 – Conservation Areas
 GP5 – Protected Buildings
 GP8 – Design
 GP9 – Sustainable Development
 GP13 – Householder Development

Conclusion/Brief comment:

The application is made for alterations to ground levels, extension of terrace areas and construction of retaining walls to the rear of the property. These works would have no adverse impacts on the setting of the protected building, character of the Conservation Area or neighbour amenity.

The plans as initially submitted also showed an extension to the parking area at the front of the property, to include the whole of the building frontage. The building does not have a traditional symmetrical front elevation, arranged around a front door, and the frontage was entirely overgrown until the current works commenced. The extension of the parking area on to the building frontage was therefore considered acceptable, both in terms of the setting of the protected building and the character of the Conservation Area, provided that the impact was softened through the inclusion of soft landscaping. The revised plans retain hedging along the north boundary, indicate enlarged planters along the front boundary wall and the inclusion of planters along the front of the building and adjacent to the south-west corner. Subject to the provision of details of the planting proposed, the planters would satisfactorily mitigate the impact of the proposed extension of the driveway. For the avoidance of doubt, there is no requirement for further details of the planting proposed to the rear of the building.

The proposed surface water discharge chamber has no adverse impacts.

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.

Recommendation:

Grant with Conditions	X
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Date: 20/05/2024