

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 extension at 1st floor level to north (side) elevation with balcony to east (front) elevation to extend existing flat and alterations to fenestration.

LOCATION: De Putron House, Fermain Road, St. Peter Port.

APPLICANT: Mr C & Mrs V Russell

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: 19/09/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/07/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Hunt Brewin - 17149.02.09, 10, 11, 12

Application Ref: FULL/2024/1027

Property Ref: A41101A000

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 19/09/2027 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/2024/1027
Property Ref: A41101A000
Valid date: 08/07/2024
Location: De Putron House Fermain Road St. Peter Port Guernsey GY1 2 TD
Proposal: Erect extension at 1st floor level to north (side) elevation with balcony to east (front) elevation to extend existing flat and alterations to fenestration.
Applicant: Mr C & Mrs V Russell

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.

OFFICER'S REPORT

Brief Description of the site:

The site is occupied by a large detached two storey dwelling, which has classical style pillars to the frontage, and pitched roof over. There is an existing attached garage to the north of the dwelling and a number of single storey extensions to the rear and northwest corner of the site.

Approval was granted for the building in September 2001, and the plans indicated a separate self-contained flat occupying a small section adjacent to the garage and at first floor.

The site is located Outside of the Centres, for the purposes of the IDP.

Relevant History:

FULL/2011/1322- Install external fire escape and A/C unit on north elevation

FULL/2012/0690- Replace existing external staircase with new staircase and balustrading on south elevation. Install rooflights and solar panels on roof slope of swimming pool and alter first floor balcony doors and balustrading.

Existing Use(s):

01 Dwelling houses

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:

GP1- Landscape character

GP8- Design

GP9- Sustainable Development

GP13- Householder Development

Conclusion/Brief comment:

In considering the application, the submitted description states that the proposal is for a first-floor extension to an existing self-contained flat, this means that Policy GP13 is relevant. This policy allows extensions to residential properties where there are no significant adverse impacts on the amenities of neighbours, the scale and mass does not detract from the open character and they do not adversely impact the special interest of a Conservation Area, ABI or protected building/monument.

The proposal has minimal impact on the neighbours, as the proposed new windows face front/rear and are unlikely to result in any loss of privacy due to their location within the site. The extension above the garage provides a new bedroom and lounge, while the former bedroom is incorporated into the attached larger dwelling. The extension is a large first floor addition, and will have some visual impact in local views, particularly when viewed from the north, however these are not considered to be harmful, and the proposal is in accordance with Policy GP13.

The extensions result in improved living accommodation, with dual aspect and space standards which exceed those in the Guernsey Technical Standards. The proposal also accords with the requirements of Policy GP8.

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



Date: 17/09/2024

