ONLINE VERSION

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: Sub-divide dwelling to create two separate residential units (Retrospective)

LOCATION: Greenways & The Wing, Belgrave Lane, St. Sampson.

APPLICANT: Ms A Castle

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: 24/12/2019

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/11/2019 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Application Block Layout Plan 1:500, Ground floor plan (NTS)

Application Ref: FULL/2019/2300

Property Ref: B01310A000

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 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 23/12/2022 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.

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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

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States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2019/2300
Property Ref:	B01310A000
Valid date:	06/11/2019
Location:	Greenways & The Wing Belgrave Lane St. Sampson Guernsey GY2 4AT
Proposal:	Sub-divide dwelling to create two separate residential units (Retrospective)
Applicant:	Ms A Castle

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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 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 application property comprises a large detached bungalow with vehicular accesses and parking areas at both the east and west ends of the road frontage, an

enclosed garden to the rear, and a detached stable block. The site is located Outside of the Centre and is the subject of no other designation under the Island Development Plan.

Relevant History:

PREA/2019/2137 - Sub-division of bungalow.
Advice offered

Existing Use(s):

Residential Use Class 1

Assessment: *(Tick as appropriate)*

no representation	✓	visual amenity acceptable	✓
accords with policy	✓	no material neighbour impact	✓
within curtilage	✓	traffic not affected	✓
design acceptable	✓		

Policies considered most relevant:

OC1 – Housing Outside of the Centres
IP7 – Private and Communal Car Parking
IP9 – Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

This application is retrospective, the bungalow already having been subdivided with each part occupied independently of one another. As each part is large enough to provide adequate living accommodation and parking, and that sufficient external amenity space would be provided to each, subdivision of the building to create a pair of dwellings is considered to be acceptable in principle in accordance with the provisions of policies OC1 and IP7.

No external alterations or extensions are proposed.

The access serving the site is of poor quality in parts, but given the scale of the existing building and the number of occupants it could have accommodated, it is not considered that its subdivision would give rise to a materially significant increase in the number of vehicle movements to and from the property. As such the application is considered to comply with the aims of Policy IP9.

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

Recommendation:
Grant with Conditions ☑

Date: 19-12-2019