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 single storey carport/store to west of dwelling.

LOCATION: Les Croutes, La Turquie, Vale.

APPLICANT: CLEC Limited

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: 01/07/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/04/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design Ltd - 19-1065 PD/14A

Application Ref: FULL/2021/0840

Property Ref: C002550000

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 type and finish of the timber cladding hereby permitted shall be submitted to and agreed in writing by the Authority. The agreed finish shall be applied within 28 days of construction.

Reason - To secure the satisfactory appearance of the completed development.

5.Details of the trees to be planted along the north boundary and to the west of the carport/store, as highlighted on plan number 19-1065/PD/14A, including the species and size of trees at the time of planting, shall be submitted to and approved in writing by the Authority prior to the construction of the carport/store. The trees shall then be planted in the first planting season following the completion of development or the first use of the carport/store whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees of a size and species similar to those originally required to be planted.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

Expiry Date: This permission will cease to have effect on 30/06/2024 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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No: FULL/2021/0840
Property Ref: C002550000
Valid date: 22/04/2021
Location: Les Croutes La Turquie Vale Guernsey GY3 5EH
Proposal: Erect single storey carport/store to west of dwelling.

Applicant: CLEC Limited

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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.

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Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested to erect a single storey triple carport/store to the west of the dwelling.

Les Croutes is a detached dwelling situated to the south of Les Croutes and on the junction of Rue Godfrey and Le Parcq Lane. It is a small 3 bay cottage built 1898 – 1938, one and a half storeys, stone built with a slate roof and brick stacks, traditional in late Victorian Style. Vehicular access is situated on the junction of Les Croutes, Le Parcq Lane and Rue Godfrey. The roadside boundaries are marked by granite walls. Permission has recently been granted to demolish and rebuild the dwelling and to infill the existing access and to create a new vehicular access to the north boundary (FULL/2020/2050). The Site is Outside of the Centres.

Relevant History:

24/03/2021 – FULL/2020/2050 – Permission granted to demolish existing and erect replacement dwelling, infill existing and create new vehicular access to north boundary and erect garden store.

24/04/2020 – FULL/2020/0236 – Application refused to demolish and rebuild dwelling and create new vehicular access

Existing Use(s):

Residential use class 1: dwelling house

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:

Policy GP1: Landscape Character and Open Land
Policy GP8: Design
Policy GP9: Sustainable Development
Policy GP13: Householder Development

Conclusion/Brief comment:

During the course of consideration the application was deferred due to concerns about the originally proposed carport/store and its siting along the highway, the loss of trees from the approved landscape scheme and the extension of the driveway and the resultant impact on the character and appearance of the area. Revised plans have subsequently been submitted which involve relocating and re-orientating the carport/store by 90° so that it is positioned at the western end of the driveway, the trees along the north boundary from the approved landscape scheme have been reinstated and the projection of the driveway to the west has been reduced.

The carport/store would be clearly visible from the public highway however it would be seen in context with the dwelling and neighbouring dwellings and outbuildings. The design and materials of the carport/store would achieve a good standard of design, details of the timber cladding can be requested by condition. The visual impact of the carport/store would be further reduced by the proposed tree planting along the north boundary and to the west of the carport/store. Overall, the proposal is unlikely to have any significant adverse effects on the landscape character and visual amenity of the area, in accordance with Policies GP1, GP8 and GP13.

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.

It is recommended that the application is approved.

Recommendation:
Grant with Conditions 

Date: 01/07/2021