

**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:** Widen vehicle access to extend parking area.

**LOCATION:** Dushi Bida, 4 Clos Du Roi, Ville Au Roi, St. Peter Port.

**APPLICANT:** Mr D Piesing

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:** 04/10/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/08/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Application Block Layout Plan and drawing entitled A by the Planning Service 06/09/2021

**Application Ref:** FULL/2021/1771

**Property Ref:** A40442A004

**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 03/10/2024 unless development is commenced by that date.**

**ADVICE AND OTHER REMARKS:-**

This permission is given under the Land Planning and Development (Guernsey) Law, 2005. This decision does not override or prejudice any legal rights or constraints which exist in relation to the application site.

**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](http://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](mailto: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/2021/1771  
**Property Ref:** A40442A004  
**Valid date:** 09/08/2021  
**Location:** Dushi Bida 4 Clos Du Roi Ville Au Roi St. Peter Port Guernsey  
GY1 1PB  
**Proposal:** Widen vehicle access to extend parking area.  
**Applicant:** Mr D Piesing

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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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.

**INFORMATIVES**

This permission is given under the Land Planning and Development (Guernsey) Law, 2005. This decision does not override or prejudice any legal rights or constraints which exist in relation to the application site.

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## **OFFICER'S REPORT**

### **Brief Description of the site:**

Dushi Bida is a semi-detached dwelling situated in a Clos road. The property is set back from the road with off-road parking and a garage.

The application relates to the removal of a kerb stone along the edge of the lawn at Bushi Bida associated with the installation of a drop kerb and provision of additional hardstanding to the front of the property.

The site is located in the Main Centre Outer Area as designated in the Island Development Plan.

### **Relevant History:**

FULL/2017/2112 - remove hedging (east elevation) and increase width of vehicular access to create parking area - granted

### **Existing Use(s):**

01 dwellinghouse

### **Assessment:** *(Tick as appropriate)*

|                     |                                     |                              |                                     |
|---------------------|-------------------------------------|------------------------------|-------------------------------------|
| no representation   | <input checked="" type="checkbox"/> | visual amenity acceptable    | <input checked="" type="checkbox"/> |
| accords with policy | <input checked="" type="checkbox"/> | no material neighbour impact | <input checked="" type="checkbox"/> |
| within curtilage    | <input checked="" type="checkbox"/> | traffic not affected         | <input checked="" type="checkbox"/> |
| design acceptable   | <input checked="" type="checkbox"/> |                              |                                     |

### **Policies considered most relevant:**

Island Development Plan policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

IP7: Private and Communal Car Parking

**Conclusion/Brief comment:**

The surrounding area is predominantly characterised by open turfed front gardens and tarmacked parking areas. There are also some examples of low level roadside boundary hedges.

The application proposes widening the existing access/ parking area to provide off road parking with an additional 10m of drop kerb proposed to the north of the existing access. In this instance, the roadside boundaries are within a clos and there are various examples of large/widened openings within the vicinity of the site and the land adjacent to the road is predominantly open. It is also noted that planning permission has previously been granted for the widening of the access at this property to 8m and the addition of a hard-surfaced area is exempt. The provision of 3 additional spaces is permitted for a dwelling of this size and location (assessed against Parking Standards and Traffic Impact Assessment Supplementary Planning Guidance). In this instance the proposal will not have an unacceptable impact on the character and appearance of the surrounding area. The scheme therefore accords with the relevant policies in the Island Development Plan.

The application makes reference to installation of an extended dropped kerb. Any alteration to the private road would be a matter for the applicant to address privately with the owners of the road. A grant of planning permission for the development proposed within the application site would not affect the private legal rights of any third party.

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.

In view of the above it is recommended planning permission is granted for the proposed development.

**Recommendation:**

Grant with Conditions



**Date:** 04 October 2021

