

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: Demolish section of wall to create vehicle access.

LOCATION: The Cottage, La Rocque Es Rousse, Vale.

APPLICANT: Ms S Le Mesurier

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: 27/10/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 24/09/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block plan date stamped 11/08/2021, Photograph date stamped 24/09/2021, Photograph date stamped 27/10/2021.

Application Ref: FULL/2021/1789

Property Ref: C001210000

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.Within four weeks of the new access being brought into use, the return wall and ends of the new opening shall be finished off using materials and a method of construction to match the existing wall and which stabilises the remainder of the wall.

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

Expiry Date: This permission will cease to have effect on 26/10/2024 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



PLANNING APPLICATION REPORT

Application No: FULL/2021/1789
Property Ref: C001210000
Valid date: 24/09/2021
Location: The Cottage La Rocque Es Rousse Vale Guernsey GY3 5BS
Proposal: Demolish section of wall to create vehicle access.
Applicant: Ms S Le Mesurier

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. Within four weeks of the new access being brought into use, the return wall and ends of the new opening shall be finished off using materials and a method of construction to match the existing wall and which stabilises the remainder of the wall.

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

OFFICER'S REPORT

Brief Description of the site:

The property known as 'The Cottage' is a pre-1900 one and a half storey dwelling, which faces north onto an access track. To the east are a couple of properties before the road Rocque es Roussee/Sept Etoiles (running north south), to the southeast are two more residential properties which faces south onto Le Moye Road and to the southwest is open land which forms part of a Site of Special Significance (SSS). To the west is one residential property and the SSS beyond and to the north across the access track is a row of trees and a domestic garden. The property is located Outside of the Centres and within a Conservation Area as defined in the Island Development Plan.

Relevant History:

FULL/2021/1162 – Demolish and rebuild chimney to west (side) elevation – July 2021.

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:

GP1: Landscape Character and Open Land
GP4: Conservation Areas
GP8: Design
GP13: Householder Development
IP9: Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

This application is to demolish a 2.1m section of front boundary wall, creating a 3.1m vehicular access to allow for on-site parking.

The property is on the edge of a Conservation Area and is located to the south of the access track used by the four properties along the track and by pedestrians gaining access to and from the SSS.

The property has a low granite wall along the northern front boundary, with a central pedestrian gate, to the west of the gate the wall is dressed granite, to the east of the gate the wall is a dry stone wall although the stability of the wall appears to be questionable. It is this side of the wall which is proposed to be removed.

The return wall between The Cottage and the neighbour to the east is also a dry stone wall. Concerns were raised about the stability of the return part of the wall should the front section be removed. The applicant has confirmed that the return section of wall will be rebuilt to ensure its future stability.

Due to the limited length of wall to be removed and the extent of boundary wall to remain, including the return wall between the site and the neighbouring property, the proposal would have a neutral effect on the special character of the Conservation Area.

The track is a dead end servicing two other properties past The Cottage, the track is not paved and has limited traffic movements. Due to the nature of the track and the limited traffic movements, the proposed access is likely to raise no significant highway safety issues.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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: 27/10/2021