

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: Parking motorhome on property (retrospective).

LOCATION: Plaisir D'Amour, Green Lanes Avenue, Green Lanes, St. Peter Port.

APPLICANT: Mr R McCurdy

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: 12/11/2021

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

Drawing Nos: Annotated Block Plan

Application Ref: FULL/2021/1997

Property Ref: A20765A007

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 11/11/2024 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The applicant is advised that this permission does not allow for the use of the mobile home as living accommodation.

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/2021/1997
Property Ref: A20765A007
Valid date: 08/09/2021
Location: Plaisir D'Amour Green Lanes Avenue Green Lanes St. Peter
Port Guernsey GY1 1TU
Proposal: Parking motorhome on property (retrospective).
Applicant: Mr R McCurdy

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 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

The applicant is advised that this permission does not allow for the use of the mobile home as living accommodation.

OFFICER'S REPORT

Site Description:

The property known as 'Plaisir D'Amour' is one of seven houses built in the 1980's around a central Clos, the house is a two storey detached dwelling which is set back from and faces east onto the access road. There are other detached residential dwellings in each direction. The property is located in the St Peter Port Main Centre Outer Area as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 5: use of part of dwelling for business purposes.

Brief Description of Development:

This application is a retrospective application to park the owner's motorhome at the front of their property.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

GP8 – Design

GP13 – Householder Development

Representations:

There have been two letters of representation and the issues are:

- What is the purpose of a motorhome that is permanently parked and never moves; is to be used for other purposes, as a covid refuge, visitor accommodation or even a waiting room for the home based business?
- The parked vehicle blocks the entrance to the therapy business.
- There is already a high vehicle density on the clos
- The vehicle is too imposing, like a huge side of metal with windows directly against the neighbour's property.
- The motorhome is parked over a mains drain which is a danger.
- This vehicle displaces parking spaces for others, why do not all their vehicles park in front of their lounge and kitchen windows. It is antagonistic, inconsiderate and potential health and safety issues for all to consider.

Consultations:

None

Summary of Issues:

- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

This application would have been exempt if the motorhome could be stored behind the front elevation of the house, but due to the orientation of the property on the site, there is no room to park the vehicle anywhere other than at the front.

The vehicle has wheels and so is not a permanent fixture in the spot, plus whether or not it is sited on a main drain manhole is not a material planning consideration and therefore out of our scope.

The vehicle can be moved to allow entrance to the small therapy room. The business only has one client at a time and therefore a waiting room is not required. Should the motorhome begin to be used as permanent accommodation then it would require further permission which is unlikely to be supported.

The motorhome is not displacing any public car parking spaces, only the homeowners; however, there is plenty of parking available at the front of the property and so displacement is not considered to be a material consideration.

Although the motorhome is large the orientation of the dwellings and parked vehicle means that it would not cause any overshadowing. The clos is quite open and there is a high density of vehicles parked in the area of an evening, means that the motorhome will not alter the character of the area, nor will it impact on the amenity of the neighbouring properties.

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

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3 - General material considerations set out in the General Provisions Ordinance.

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. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

For the reasons set out within this report, it is recommended that planning permission be granted, subject to conditions.

Date: 10/11/2021