

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: Excavate and erect retaining wall and steps to extend parking area.

LOCATION: The White House, Rohais De Haut, St. Andrew.

APPLICANT: G And S Carpentry

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: 16/12/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 05/11/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP: 2402 SK(2)-01B

Application Ref: FULL/2021/2434

Property Ref: K000600000

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.No occupation or use of the two units of residential accommodation hereby permitted shall begin until the agreed refuse and recycling storage has been fully completed in accordance with the details approved as part of this permission. Those areas shall not thereafter be used for any purpose other than refuse and recycling storage.

Reason - To ensure that refuse and recycling is appropriately managed in the interests of the visual amenities of the locality and the amenities of residents within the development and adjoining the site.

5.Prior to the commencement of any work in connection therewith and notwithstanding the hardsurfacing details shown on the approved block plan a landscaping scheme, to include those details specified below, shall be submitted to and agreed in writing by the Authority: i) the treatment proposed for all ground surfaces, including paths, courtyards and parking and turning area (enlarged parking and turning area to match existing); ii) full details of tree and hedge planting (planting to the south of the vehicular access should be limited to no more than 0.9m high in the interests of road safety); iii) planting schedules, noting the species, sizes, numbers and densities of plants; iv) any screen walls/fences shown on the approved plans; v) any other structures to be erected or constructed; and vi) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in the interests of residential amenity.

6.The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

Expiry Date: This permission will cease to have effect on 15/12/2024 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/2021/2434
Property Ref: K000600000
Valid date: 05/11/2021
Location: The White House Rohais De Haut St. Andrew Guernsey GY6 8YX
Proposal: Excavate and erect retaining wall and steps to extend parking area.
Applicant: G And S Carpentry

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.

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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.

4. No occupation or use of the two units of residential accommodation hereby permitted shall begin until the agreed refuse and recycling storage has been fully completed in accordance with the details approved as part of this permission. Those areas shall not thereafter be used for any purpose other than refuse and recycling storage.

Reason - To ensure that refuse and recycling is appropriately managed in the interests of the visual amenities of the locality and the amenities of residents within the development and adjoining the site.

5. Prior to the commencement of any work in connection therewith and notwithstanding the hardsurfacing details shown on the approved block plan a landscaping scheme, to include those details specified below, shall be submitted to and agreed in writing by the Authority: i) the treatment proposed for all ground surfaces, including paths, courtyards and parking and turning area (enlarged parking and turning area to match existing); ii) full details of tree and hedge planting (planting to the south of the vehicular access should be limited to no more than 0.9m high in the interests of road safety); iii) planting schedules, noting the species, sizes, numbers and densities of plants; iv) any screen walls/fences shown on the approved plans; v) any other structures to be erected or constructed; and vi) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

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Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

OFFICER'S REPORT

Brief Description of the site:

The application relates to the excavation and construction of a retaining wall and steps to extend the car parking area.

The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2018/2281 - Sub-divide existing dwelling to provide 2 apartments. Demolish existing extension and store (west elevation) and two chimney stacks. Install dormer windows (east elevation) and rooflights to east and west elevations, alter fenestrations. Erect fencing, remove pillar and section of wall to extend existing parking area and erect bin store – November 2018.

FULL/2015/2717 - Demolish 5m section of roadside wall to form a 4m wide vehicular access, erect wall and 1.8m high gates and piers, reduce height of existing boundary wall to 0.9m and infill pedestrian access (east boundary) – December 2015.

Existing Use(s):

Residential use class 2: flats.

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:

GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:

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.

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

Recommendation:

Grant with Conditions

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Date: 16/12/2021