

**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:** Alterations to parking area, resurfacing, erect retaining wall and fence. (Protected Tree and Protected Building).

**LOCATION:** Longueville, Clifton, St. Peter Port.

**APPLICANT:** Mr & Mrs Doble

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:** 07/03/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/12/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** DRP Architecture: 3061/SV-01, 3061/SK-08D & -11B.

**Application Ref:** FULL/2021/2479

**Property Ref:** A30091A000

**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 06/03/2025 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](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/2021/2479  
**Property Ref:** A30091A000  
**Valid date:** 16/12/2021  
**Location:** Longueville Clifton St. Peter Port Guernsey  
**Proposal:** Alterations to parking area, resurfacing, erect retaining wall and fence. (Protected Tree and Protected Building).  
**Applicant:** Mr & Mrs Doble

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

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## **OFFICER'S REPORT**

### **Site Description:**

The property known as 'Longueville' is a modern dwelling which is nestled into the southeast facing part of St Peter Port's hill town. The vehicular access is from Clifton, which is at a higher level to the west. The existing parking and turning area for vehicles is at a lower level than the street, but higher than the actual house. There are neighbouring properties higher up to the west and lower to the east and on the same level to the north and south following the topography of the land. The property is located within the St Peter Port Main Centre and is within the Conservation area as defined in the Island Development Plan. The majority of the surrounding properties are Protected Buildings.

### **Relevant History:**

There is no relevant history pertaining to this application.

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

Residential use class 1: dwelling house.

### **Brief Description of Development:**

This application is for some alterations to the parking area, resurfacing, erect retaining wall and fence. (A Protected Tree and a Protected Building are in close proximity).

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

GP4: Conservation Areas  
GP5: Protected Buildings (Setting)  
GP8: Design  
GP9: Sustainable Development  
GP13: Householder Development

### **Representations:**

There has been one letter of representation and the issues are:

- The proposals will directly impact on the views/outlook from the Garden Apartment 1 of the adjacent building 'Clifton'. Specifically the installation of the hard wall along the fence will have direct impact on the sea/St Peter Port views.
- The plans do not clearly highlight the desired height of the border hedges which directly impact the sea views from the garden Apartment. The hedge appears to reduce the outdoor space of the Apartments garden. The hedge

appears to limit the right of way the garden apartment has to maintain the gardens and remove green waste as per the Clifton conveyance detail.

- The proposal involves the development of a car park that directly impacts the sea views and existing outlook from the Garden Apartment of Clifton House.
- The proposal encourages excessive use of motor vehicles which directly impact on the amenity of Clifton House. The potential car movement is excessive given the context of the surroundings. The additional spaces would potentially increase the traffic noise for the adjacent building. The adjacent residents would overlook a car park that is not sympathetic to the surrounding area.
- The liveability of the site and the ability to make an objective assessment based on all the existing alterations. The temporary scaffolding prevents an objective assessment being made about the impact of the loss of view amenity from the Garden Apartment of Clifton House.

#### **Consultations:**

None

#### **Summary of Issues:**

- Design of the development.
- 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.**

The proposals would reconfigure the existing car parking area, adjusting the location of the parking bays and reshaping the existing planter. The proposals would appear to allow the existing parking area to work more efficiently, and would not necessarily lead to an increase in the number of vehicles using the parking area. On that basis the proposals should not impact on neighbour amenity.

The proposals are considered to achieve a good standard of design, using materials which complement the existing materials. The existing low level wall which surrounds the adjacent garden will remain in situ with a new angled low level planter replacing the circular low level planter. The proposals are not considered to impact the private amenity of the surrounding neighbours.

When assessing planning applications a private 'view' is not considered to be a material consideration and so the loss of a view is not assessed by the relevant policies.

The Protected Tree is to remain in situ and will not be affected by the proposed works.

The proposed works are not considered to alter the existing parking area so much that they would have any detrimental impacts on the special interest of the surrounding protected buildings and their settings or on the special quality and appearance of the surrounding conservation area. Therefore the proposals are considered to comply with both GP4 and GP5.

Policy GP9, Sustainable Development, seeks to ensure all new development takes into account the use of energy and resources and any adverse impacts on the environment. There has been sufficient information provided with the application to comply with the requirements of this policy.

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

### **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.

**Date:** 25/02/2022

