

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: Alter vehicle access and install gates to south boundary (retrospective).

LOCATION: La Cotte, Rue Des Hougues De Noirmont, Vale.

APPLICANT: Mrs S Warr

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: 17/02/2022

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: PF+A Ltd: 6129-03/B1.

Application Ref: FULL/2022/0006

Property Ref: C00184E000

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 16/02/2025 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 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/2022/0006
Property Ref: C00184E000
Valid date: 16/12/2021
Location: La Cotte Rue Des Hougues De Noirmont Vale Guernsey GY3 5EL
Proposal: Alter vehicle access and install gates to south boundary (retrospective).
Applicant: Mrs S Warr

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.

OFFICER'S REPORT

Site Description:

The property known as 'Le Cotte' is a large detached 1970's two storey dwelling which is set back from and faces north onto Rue des Hougues se Noirmont. There are neighbouring properties to the east and west and a long garden to the south which is bound by Les Croutes road. There is a garage and vehicular entrance from the south boundary as well as a vehicular entrance from Rue des Hougues de Noirmont in the

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

Relevant History:

FULL/2021/2690 - Erect single storey extension with 1st floor terrace and flat roof extension to east (side) elevation, extend at 1st floor level and erect porch to north (front) elevation. Infill one existing vehicle access and widen/alter remaining vehicle access - Pending.

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

This is a retrospective application to alter an existing vehicular access by installing low walls and electric gate to the south boundary.

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

GP8 – Design
GP9 – Sustainable Development
GP13 – Householder Development
IP9 – Highway Safety, Accessibility and Capacity.

Representations:

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

- The original height of the replacement wall at roadside seems to have been respected but the new wall is sloped towards the gates, which are set back from the road, and its final height is in excess of 1.55m.
- The original access was a “break” in a low dry stone granite wall, but the new wall is a granite faced construction.
- The wall is capped with red brick; there are no other brick wall constructions in close proximity.
- The solid wooden gate does not meld with the rural environment.
- Overall I believe that the aesthetics are incongruous to the locality.

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.

Policy GP8 expects proposals to achieve a high standard of design which respects and where possible enhances the character of the environment. GP13 supports development where there are no significant adverse effects on the amenities of neighbouring properties. Both policies provide for a high degree of personal choice on design matters in less sensitive areas (outside of Conservation Areas and not affecting the setting of protected buildings).

Had the wall remained under 0.9m when it was rebuilt then it would have been exempt, but because walls either side of the gateway raise in height to approximately 1.4m in order for the timber sliding gate to be attached to, planning approval needs to be sought.

The location of the property is Outside of the Centres where homeowners are allowed a higher degree of personal choice. The built gateway will match the proposed gateway which is in the process of being built across the road. The gateway is not thought to have any detrimental impacts on the character of the area and is it not affecting neighbour amenity.

The gate itself is set back from the road to allow a car to pull off the road to wait for the gate to open, which prevents any highway safety issues.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

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.

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

Date: 17/02/2022