

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 widen vehicle access and section of wall west of access.

LOCATION: Le Bosquet, Arculon Lane, Le Bouet, St. Peter Port.

APPLICANT: Mr J-P Tebble

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: 01/06/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 31/03/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Application Block Layout Plan and drawing A and Photographs B labelled by the Planning Service (01/06/2022)

Application Ref: FULL/2022/0536

Property Ref: A106160000

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.The roadside wall hereby approved shall be made good in materials to match the existing wall within 2 months of the vehicle access being widened.

Reason - In the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 31/05/2025 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/2022/0536
Property Ref: A106160000
Valid date: 31/03/2022
Location: Le Bosquet Arculon Lane Le Bouet St. Peter Port Guernsey GY1 2AU
Proposal: Demolish section of wall to widen vehicle access and section of wall west of access.
Applicant: Mr J-P Tebble

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).

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Reason - In the interests of visual amenity.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a semi-detached dwelling-house located to the north of Arculon Lane. The property is situated in a Main Centre Outer Area as designated in the Island Development Plan.

Planning permission is sought to widen the vehicular access to the front of the property from 3500mm to 5000mm to increase car parking provision. A section of wall adjacent to the front door, within the site, is also proposed to be removed.

Relevant History:

None germane to this application.

Existing Use(s):

Residential

Assessment: *(Tick as appropriate)*

no representation	☒
accords with policy	☒
within curtilage	☒
design acceptable	☒

visual amenity acceptable	☒
no material neighbour impact	☒
traffic not affected	☒

Policies considered most relevant:

GP1	Landscape Character and Open Land
GP8	Design
GP9	Sustainable development
GP13	Householder Development
IP9	Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

The dwelling-house in question is not a protected building, nor is it situated within a Conservation Area and is setback from Le Bouet, therefore a greater degree of flexibility is afforded to householder development where it respects the character and appearance of the area and does not result in adverse effects to neighbour amenity or highway safety.

While the development will result in the partial loss of a boundary feature, the extent of removal is likely to be negligible and is justified.

The proposed access is similar to other vehicular access widths in the immediate locality and is not considered to have an unacceptable adverse effect on the character of the area or its appearance to provide strong grounds to rebut the general support in favour of householder development as set out in Policy GP13.

Consequently, the partial loss of the wall in relation to Policy GP1 (Landscape Character and Open Land) has been balanced against, and is outweighed by the general support in favour of householder development as set out in Policy GP13 (Householder Development).

The widening of the access is not considered to adversely affect highway safety or traffic management (Policy IP9, Highway Safety, Accessibility and Capacity) due to the generally low traffic speeds and volumes along the lane.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

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.

On this basis, the application is compliant with the relevant Island Development Plan policies, it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 31/05/22