

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: Remove section of wall and railings to widen vehicle access.
(Protected Building).

LOCATION: The Anchorage, Doyle Road, St. Peter Port.

APPLICANT: Ms K Gamble

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: 04/07/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/04/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP Architecture: 3132/SK-01, -02 & -03.

Application Ref: FULL/2022/0944

Property Ref: A202990000

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.Notwithstanding the information submitted, within 2 months of the vehicular access being widened, the roadside wall and railings shall be made good to match as closely as possible the existing boundary treatment. For the avoidance of doubt, the existing support bracket shall be carefully removed and reused at the end of the new opening within the same timeframe as set out above.

Reason - To preserve the special interest of the protected building and Conservation Area and in the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 03/07/2025 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/2022/0944
Property Ref: A202990000
Valid date: 13/04/2022
Location: The Anchorage Doyle Road St. Peter Port Guernsey GY1 1RD
Proposal: Remove section of wall and railings to widen vehicle access.
(Protected Building).

Applicant: Ms K Gamble

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).

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. Notwithstanding the information submitted, within 2 months of the vehicular access being widened, the roadside wall and railings shall be made good to match as closely as possible the existing boundary treatment. For the avoidance of doubt, the existing support bracket shall be carefully removed and reused at the end of the new opening within the same timeframe as set out above.

Reason - To preserve the special interest of the protected building and Conservation Area and in the interests of visual amenity.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a protected building located to the west of Doyle Road. The property is located in a Conservation Area as designated in the Island Development Plan.

The whole of the building, including the roadside wall and railings are protected.

Planning permission is sought to widen the vehicle access by removing a 1m section of the wall/and railings. The proposed access width will be 4.7m wide.

The application was deferred as no information had been submitted to justify the proposed works and explain the special interest of the protected building.

Further information has been provided by the agent in attempt to overcome the concerns raised.

Relevant History:

HAPP/2002/1045	Create vehicular access and car parking area	Granted
----------------	--	---------

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:

- GP4 Conservation Areas
- GP5 Protected Buildings
- GP8 Design
- GP9 Sustainable development
- GP13 Householder Development
- IP7 Private and communal parking

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.

Furthermore, it is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting protected buildings and Conservation Areas, to secure so far as possible that the special historic, architectural, traditional or other special characteristics are preserved.

As set out in Policy GP5 there is a balance to be struck between preserving the special interest of a protected building whilst recognising the reasonable aspirations of the property owner to alter and extend their property.

Whilst the agent has provided a very limited statement which sets out the special interest of the protected building as expected under Policy GP5 together with the rationale for the proposal, the existing vehicular access was approved in 2002 and completed a few years later.

Whilst it is considered that the roadside wall and railings do contribute to the special interest of the protected building and Conservation Area, it is considered a reasonable aspiration of the property owner to widen their access from 3.7m wide to 4.7m wide given that the access has already been altered over the years. Consequently, the works already carried out to the existing access has somewhat reduced the special interest of this part of the protected building. That said, retaining a good proportion of the roadside front boundary is an important aspect of the design which this application achieves.

In addition, widening the access point is likely to improve manoeuvrability to and from the property which is beneficial as Doyle Road is recognised as being a Traffic Priority Route.

Subject to appropriate conditions, the proposal is considered to adopt a 'high standard' of design for the purposes of Policy GP8 and is not considered to have a significant detrimental effect on the special interest of the protected building,

character and appearance of the Conservation Area, or visual amenity to justify refusal.

The proposal will not affect the amenities of neighbouring residents.

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

Based on the above, the application is considered 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: 04/07/22