

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 and erect replacement roadside wall and hedge.

LOCATION: Crecy, La Grande Rue, Vale.

APPLICANT: Mr & Mrs T Willcocks

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: 05/08/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/05/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Paul Vaudin & Associates Ltd - 22-007-02

Application Ref: FULL/2022/1097

Property Ref: C01344B00

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.Within 2 months of the existing boundary wall being demolished, the replacement granite wall hereby approved shall be completed to match as closely as possible to the type, colour, texture and method of construction of the existing wall to the southern section of wall along the west boundary.

Reason - In the interests of visual amenity and to ensure that the works are completed in a timely manner.

Expiry Date: This permission will cease to have effect on 04/08/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

In light of Condition 4, the replacement wall should adopt a loose stone or open-jointed appearance, however named, to match as closely as possible the appearance of the existing dry stone wall. The colour and texture of the stone should also match as closely as possible.

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/2022/1097
Property Ref: C01344B00
Valid date: 18/05/2022
Location: Crecy La Grande Rue Vale Guernsey GY3 5HR
Proposal: Demolish and erect replacement roadside wall and hedge.

Applicant: Mr & Mrs T Willcocks

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. Within 2 months of the existing boundary wall being demolished, the replacement granite wall hereby approved shall be completed to match as closely as possible to the type, colour, texture and method of construction of the existing wall to the southern section of wall along the west boundary.

Reason - in the interests of visual amenity and to ensure that the works are completed in a timely manner.

INFORMATIVES

In light of Condition 4, the replacement wall should adopt a loose stone or open-jointed appearance, however named, to match as closely as possible the appearance of the existing dry stone wall. The colour and texture of the stone should also match as closely as possible.

OFFICER'S REPORT

Brief Description of the site:

The application site, known as 'Crecy', comprises a detached 1.5 storey dwelling, located to the east of La Grande Rue. The property was once bounded by a traditional dry stone wall which ran along the entire length of the roadside (west) boundary. Planning permission was granted in 2020 to replace a section of the roadside wall nearest the vehicle entrance with an open jointed 'dry stone wall'.

The site is situated Outside of the Centres as defined in the Island Development Plan.

The surrounding area comprises a mix of traditional dry stone walls, masonry walls and landscaping which front onto the roadside.

Planning permission is now sought to replace the remaining section of the wall to the north of the approved works. The replacement wall will be 1300mm high and will match the style of the existing wall to the south of the property. The wall is to be scalloped to meet the original wall height. New hedging will be added along this boundary.

The new section of wall will be located approximately 25m from the vehicle access.

Relevant History:

FULL/2019/1256	Demolish and rebuild roadside wall.	Granted
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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

Conclusion/Brief comment:

As set out in the previous officer's report (FULL/2019/1256), paragraph 19.2.5 of Policy GP1 notes that in the north of the Island, dry stone boundary walls, particularly large boulder walls, are considered important elements in defining an area's local distinctiveness. Consequently, demolishing the remaining section of the roadside boundary is considered to have a negative effect on the landscape character, although the degree of harm is not considered to be so substantial in this particular case given that the existing wall is mainly comprised of small loose stones and that a 25m section of the roadside boundary has already been replaced as part of permission FULL/2019/1256.

Whilst it is encouraged that a more traditional style of dry stone wall is constructed in order to better relate to the existing dry stone wall to the north of the site, it is not considered reasonable or necessary that this is undertaken through a planning condition. This decision has been carefully balanced against the reasonable aspirations of the householder to alter and extend their property in accordance with the provisions of Policy GP13, and the degree of flexibility in design matters as set out in Policy GP8.

Overall, the proposed section of wall adopts a good enough standard of design for the purposes of Policy GP8 by virtue of its height, materials, appearance and detailing, particularly as the site does not fall within a Conservation Area or affect a protected building.

The replacement section of wall is not considered to adversely affect sightlines given its distance from the vehicle access.

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.

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: 02/08/22