

**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 existing vehicle access, erection of roadside wall and alterations to car parking area.

**LOCATION:** Granite House, La Grande Rue, St. Martin.

**APPLICANT:** P G Properties Ltd

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:** 16/01/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 21/06/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Hunt Brewin - 14170.02.01a, 02, 03b, 04

**Application Ref:** FULL/2022/1364

**Property Ref:** J00372E000

**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 roadside wall being demolished, the replacement wall shall be constructed and match as closely as possible to the existing wall in terms of its colour, texture, method of bonding and pointing.

Reason - To conserve the character and appearance of the Conservation Area and in the interests of visual amenity.

5.Prior to the removal of the roadside wall, full details of the landscaping scheme to be incorporated in the replacement planter shall be submitted to and agreed in writing by the Authority, noting the species, sizes, numbers and densities of plants.

Reason -To conserve the character and appearance of the Conservation Area and to help assimilate the development into its surroundings.

6.The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the completion of the roadside wall and planter. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

7.The cycle shelter shall be completed and made available for use prior to the first use of the hereby permitted extended parking area.

Reason - To encourage the use of bicycles as an alternative to the car.

**Expiry Date: This permission will cease to have effect on 15/01/2026 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/2022/1364  
**Property Ref:** J00372E000  
**Valid date:** 21/06/2022  
**Location:** Granite House La Grande Rue St. Martin Guernsey GY1 6JS  
**Proposal:** Alterations to existing vehicle access, erection of roadside wall and alterations to car parking area.

**Applicant:** P G Properties Ltd

**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 roadside wall being demolished, the replacement wall shall be constructed and match as closely as possible to the existing wall in terms of its colour, texture, method of bonding and pointing.

Reason - To conserve the character and appearance of the Conservation Area and in the interests of visual amenity.

5. Prior to the removal of the roadside wall, full details of the landscaping scheme to be incorporated in the replacement planter shall be submitted to and agreed in writing by the Authority, noting the species, sizes, numbers and densities of plants.

Reason -To conserve the character and appearance of the Conservation Area and to help assimilate the development into its surroundings.

6. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the completion of the roadside wall and planter. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

7. The cycle shelter shall be completed and made available for use prior to the first use of the hereby permitted extended parking area.

Reason - To encourage the use of bicycles as an alternative to the car.

---

## **OFFICER'S REPORT**

### **Brief Description of the site:**

The application site comprises a detached building used as office accommodation, to the north of La Grande Rue. A granite wall bounds the site with an established planter behind. The premises is served by off-street car parking.

Planning permission is sought to demolish a roadside wall and planter and alter the vehicle access and parking area to the front of the building and to erect a covered bicycle store to the rear of the building. It is proposed to increase car parking provision from 12 spaces to 15 spaces as set out in the application form. New parking will be designated immediately adjacent to the building and in place of the existing planters to the front and rear of the car parking area.

**Relevant History:**

|                |                                                       |                         |
|----------------|-------------------------------------------------------|-------------------------|
| PREA/2021/2670 | Reconstruct roadside wall and alterations to carpark. | Pre-application enquiry |
|----------------|-------------------------------------------------------|-------------------------|

**Existing Use(s):**

Granite House – Office.

**Assessment:** *(Tick as appropriate)*

|                     |                                     |                              |                                     |
|---------------------|-------------------------------------|------------------------------|-------------------------------------|
| no representation   | <input checked="" type="checkbox"/> | visual amenity acceptable    | <input checked="" type="checkbox"/> |
| accords with policy | <input checked="" type="checkbox"/> | no material neighbour impact | <input checked="" type="checkbox"/> |
| within curtilage    | <input checked="" type="checkbox"/> | traffic not affected         | <input checked="" type="checkbox"/> |
| design acceptable   | <input checked="" type="checkbox"/> |                              |                                     |

**Policies considered most relevant:**

- GP1 Landscape Character and Open Land
- GP4 Conservation Areas
- GP8 Design
- GP9 Sustainable development
- IP6 Transport Infrastructure and Support Facilities
- IP7 Private and communal parking
- IP9 Highway Safety, Accessibility and Capacity

**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.

Replacing the roadside wall on a like-for-like basis would have a neutral effect on the character and appearance of the Conservation Area and landscape character. Despite the reduction of the planter adjacent to the road which currently features mature planting to the front of the site which has a positive contribution on the Conservation Area, the reduction of the width of the planter would not cause significant concerns that would justify refusal, especially as a new planter is incorporated into the replacement wall. The Planning Service sought to increase the width of the planter to improve the ability of small shrubs/hedges to mature over time to achieve a better standard of landscaping, although the agent has provided further justification to retain the width as currently proposed.

It is however reasonable and necessary to attach a condition to ensure that the wall be reconstructed to match as closely as the existing wall, as well as full details of the proposed landscaping.

The loss of the planter to the rear is acceptable as it is set well within the site.

The Maximum Car Parking Standards only apply to Main Centres and Main Centre Outer Areas, and only affects development Outside of the Main Centres where it involves new build development, a change of use, or extension of existing uses. The agent has also clearly demonstrated that bicycle parking provision is included as part of the revised scheme. Secured and covered bicycle provision is designated to the rear of the building, accessible by a footpath to the front and side of the building. This is sufficient to take into account the Supplementary Planning Guidance – Parking Standards and Traffic Impact Assessment which seeks to encourage sustainable means of travel.

In addition, sightlines from the access will not be adversely affected due to the replacement wall matching the same height and position as the existing wall.

Despite incorporating designated parking spaces immediately adjacent to the building, and in front of windows which does not represent best practice, painting white lines to designate these spaces would not require planning permission.

Overall, the development achieves a ‘high’ standard of design for the purposes of Policy GP8 (Design) and would conserve the character and appearance of the Conservation Area for the purpose of Policy GP4 (Conservation Areas).

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:** 12/01/23

