

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 sheds and greenhouse, alter and relocate vehicle access from south-west to west boundary. Remove hedge and erect fence to south boundary and erect sheds to north boundary.

LOCATION: La Trouvaille, Avenue Beauvais, Ville Au Roi, St. Peter Port.

APPLICANT: Mrs K Birch

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: 18/11/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 24/08/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: App: 101C, 103B, 220A, proposed fencing details and proposed shed specification.

Application Ref: FULL/2022/1469

Property Ref: A404750000

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 four weeks of the new access being brought into use, the ends of the new opening shall be finished off using materials and a method of construction which match the remainder of the front boundary.

Reason - In the interests of visual amenity.

5.Within four weeks of the new access being brought into use, the existing access shall be closed permanently, the wall rendered on both sides and the land within the highway reinstated.

Reason - To minimise the number of points of access, in the interests of highway safety and visual amenity.

Expiry Date: This permission will cease to have effect on 17/11/2025 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/2022/1469
Property Ref: A404750000
Valid date: 24/08/2022
Location: La Trouvaille Avenue Beauvais Ville Au Roi St. Peter Port
Guernsey GY1 1PQ
Proposal: Demolish sheds and greenhouse, alter and relocate vehicle
access from south-west to west boundary. Remove hedge and
erect fence to south boundary and erect sheds to north
boundary.
Applicant: Mrs K Birch

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 - 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 four weeks of the new access being brought into use, the ends of the new opening shall be finished off using materials and a method of construction which match the remainder of the front boundary.

Reason - In the interests of visual amenity.

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OFFICER'S REPORT

Brief Description of the site:

The property known as 'La Trouvaille' is a two storey detached mid-20th century dwelling, which is set back from and faces west onto Avenue Beauvais. There are neighbouring properties to the north and south and across the road to the west, to the east are the grounds of a large detached protected building. The property is located within the St Peter Port Main Centre Outer Area as defined in the Island Development Plan.

Relevant History:

FULL/2022/0337 - Erect single storey extension to east (rear) elevation, remove garage door and install window to west (front) elevation and alteration to fenestration (Part Retrospective) – Approved April 2022.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

X
X
X
X

visual amenity acceptable
no material neighbour impact
traffic not affected

X
X
X

Policies considered most relevant:

GP8: Design

GP13: Householder Development

IP9: Highway Safety, Accessibility and Capacity.

Conclusion/Brief comment:

This application is to demolish the existing shed and greenhouse, relocate the existing front vehicular access from southwest to west boundary. The scheme also proposes the removal of a hedge and erection of a fence along the south boundary and the erection of two small sheds adjacent to the north boundary.

Demolishing the existing outbuildings and erecting two new sheds is considered acceptable for this property in this location without harm to residential amenity.

Relocating the vehicular entrance will allow for more manoeuvrability on site and the new opening will be straight onto the road rather than onto the corner of the turning area, giving much better sight lines and therefore the proposal improves highway safety and is considered acceptable.

Initially the overall height of the low rendered wall with fence above exceeded 2m, which was not considered acceptable when fronting onto a road, albeit a turning area. The application was deferred to request the overall height be reduced.

Amended draws were submitted showing the combined height of the fence and wall to be 2m. Due to its location, in this instance, the visual amenity is not thought to be affected. The height of the new fence is not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it have any impact on either of the immediate neighbours.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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.

Recommendation:

Grant with Conditions



Date: 16/11/2022

