

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: Infill existing vehicle access to south-east boundary and remove section of earthbank to create new vehicle access to north-east boundary.

LOCATION: Maybelle House, Rue Des Bordes, St. Saviour.

APPLICANT: Mr & Mrs S Le Page

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: 11/11/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 02/09/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DLM 1212_ 4, 5 & 6.

Application Ref: FULL/2022/1798

Property Ref: E010420000

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 roadside boundary wall.

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 with an earth bank to match the existing boundary treatment.

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

Expiry Date: This permission will cease to have effect on 10/11/2025 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/2022/1798
Property Ref: E010420000
Valid date: 02/09/2022
Location: Maybelle House Rue Des Bordes St. Saviour Guernsey GY7 9PX
Proposal: Infill existing vehicle access to south-east boundary and remove section of earthbank to create new vehicle access to north-east boundary.

Applicant: Mr & Mrs S Le Page

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 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 roadside boundary wall.

Reason - In the interests of visual amenity.

5. Within four weeks of the new access being first brought into use, the existing access shall be closed permanently with an earth bank to match the existing boundary treatment.

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

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Maybelle House' is an early 20th century bungalow which is set back from and faces northeast onto Rue des Bordes. The vehicular entrance is on the north most tip of the southeast boundary rather than on the northeast roadside boundary. There are other large detached properties to the southeast and northwest, with open land across the road to the northeast and open agricultural land (APA) to the southwest beyond the land within the same ownership. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2022/1323 – Change of use of agricultural land to domestic garden (2,982sqm)
– Approved October 2022.

Existing Use(s):

Residential use class 1: dwelling house.

Agricultural use class 1: agriculture.

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:

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

Conclusion/Brief comment:

This application is to infill the existing vehicular access on the southeast boundary and remove a section of earthbank on the northeast boundary to create a new vehicle access.

The northeast boundary is approximately 40m wide and the section of earthbank proposed to be removed is 8m at the roadside narrowing to 3m between the pillars (an average of 5.5m) leaving the majority of the existing roadside boundary intact.

The existing opening is not easily accessible for vehicles travelling from the north. The proposed construction of the new opening shows that there would be greatly improved sightlines for vehicles leaving the site, with over 25m in each direction, which is more than adequate for a neighbourhood road.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

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: 09/11/2022