

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 hedge to east boundary, erect shed to south (rear) of property (Retrospective) and demolish and rebuild north (roadside) wall.

LOCATION: Dreamwood House, Les Tracheries Road, St. Sampson.

APPLICANT: Mr J Wood & Miss E Sarahs

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: 31/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/01/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block layout plan (21/10/22), Details of shed, Photographs of roadside wall to be removed (06/01/23).

Application Ref: FULL/2022/2080

Property Ref: B01787B001

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 28 days of the removal of the existing roadside wall, the new blockwork boundary wall shall be erected to a height of 900mm and rendered externally. The access width shall be retained as existing.

Reason - To ensure a satisfactory external appearance in the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 30/03/2026 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 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/2022/2080
Property Ref: B01787B001
Valid date: 06/01/2023
Location: Dreamwood House Les Tracheries Road St. Sampson
Guernsey GY2 4SS
Proposal: Remove hedge to east boundary, erect shed to south (rear) of
property (Retrospective) and demolish and rebuild north
(roadside) wall.
Applicant: Mr J Wood & Miss E Sarahs

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 28 days of the removal of the existing roadside wall, the new blockwork boundary wall shall be erected to a height of 900mm and rendered externally. The access width shall be retained as existing.

Reason - To ensure a satisfactory external appearance in the interests of visual amenity.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Dreamwood House' is a one and a half storey 1980's dwelling which is set back from and faces north onto Les Tracheries Road. There are neighbouring properties to the east, west and across the road to the north, and open land to the south beyond the garden. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2021/2585 - Erect domestic shed/workshop to south-east boundary (retrospective) – Approved March 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

Conclusion/Brief comment:

This application is a partially retrospective application to remove a section of hedge in the rear garden and erect a small plastic shed against the south elevation of the

property. Plus requesting approval to remove the front loose granite boundary wall and replace it with a 900mm high block rendered wall.

The section of hedge removed from the rear garden is considered minimal as the majority of the hedge still remains along the remaining south east boundary. A fence has been erected in its place, which was exempt from planning approval.

The small plastic shed is also considered to be acceptable in the location close to the dwelling. Neither of these proposals will alter the character of the area or affect neighbour amenity.

The front wall does require planning permission to be removed as it forms a roadside boundary. However, the loose granite wall is below 900mm in height and the replacement rendered block wall is proposed to be 900mm, which does not require planning permission. On balance the removal of the loose granite wall is considered acceptable especially as it is to be replaced with another low wall, albeit of a different material.

The surrounding properties all have different roadside boundary treatments from granite walls to rendered walls and hedges, therefore the proposed wall is not considered to have any detrimental impacts on the character and appearance of the surrounding area, nor will it have any adverse impacts on neighbour amenity.

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: 31/03/2023

