

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: Alter and extend existing wall and erect gate to south boundary.

LOCATION: Manoir De Sous L'Eglise, Sous L'Eglise, St. Saviour.

APPLICANT: Mr & Mrs Tremlett

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: 17/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 05/12/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: BTP Ltd - 3079 - PD01

Application Ref: FULL/2022/2336

Property Ref: E005000000

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 revised access being brought into use, the extended walls hereby approved shall be constructed in accordance with the approved plans using materials and a method of construction which match the remainder of the wall.

Reason - To secure the satisfactory appearance of the completed development.

Expiry Date: This permission will cease to have effect on 16/03/2026 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/2022/2336
Property Ref: E005000000
Valid date: 05/12/2022
Location: Manoir De Sous L'Eglise Sous L'Eglise St. Saviour Guernsey
GY7 9TQ
Proposal: Alter and extend existing wall and erect gate to south
boundary.
Applicant: Mr & Mrs Tremlett

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.

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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.

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Reason - To secure the satisfactory appearance of the completed development.

OFFICER'S REPORT

Site Description:

The application property comprises a large, detached house located within the Conservation Area centred on St Saviour's Parish Church, and Outside of the Centres and within an Agriculture Priority Area under the Island Development Plan. The house is set back and is accessed over a long, crushed granite drive, which has a sharp 90 degree bend where it meets the public highway.

Relevant History:

FULL/2017/0515 - Demolish section of roadside wall to widen vehicular access
This application was refused due to the proximity and physical relationship of the access to the give way line on Rue de L'Eglise, which was considered to result in road safety issues and was contrary to the aims and objectives of Policy IP9 of the IDP, and based in Traffic and Highways Officer advice.

Existing Use(s):

01 Dwellinghouse

Brief Description of Development:

The proposal is for the alteration and extension of the existing wall and installation of a new area of hardstanding and timber gate to the southern boundary.
The proposal includes a new area of hardstanding approx. 20m² composed of granite cobbles, with new granite walls surrounding. The wall is 1.8m high at the piers, adjacent to the gate and curves down to 0.93m adjacent to the road.
The proposed timber gate is set back from the road frontage to allow sufficient space for vehicles to pull out of the carriageway whilst the gates are opening.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

GP1 – Landscape Character and Open Land
GP4 – Conservation Areas
GP8 – Design
GP13 – Householder Development
IP9 – Highway Safety, Accessibility and Capacity

Representations:

None received

Consultations:

Traffic and Highways were consulted on the proposal and their response was as follows:

I refer to your letter dated 25 January 2023 regarding the application by Mr & Mrs Tremlett in respect of the above proposed development.

I advise that an access should: -

- a) Enable a driver 2.0m from the edge of the carriageway to see a minimum of 20m in the direction of oncoming traffic;*
- b) Not have any obstructions or planting greater than 900mm high above the road surface within the visibility splays;*
- c) Have sufficient width to enable cars and light vehicles to exit and enter the drive without crossing into the path of vehicles on the opposite side of the carriageway;*
- d) Be square to the carriageway;*
- e) Be sited at a distance not less than 20m from a junction.*

The sightlines observed from the access are 5m in the direction of oncoming traffic (Rue de L'église) and 20m+ in a southerly and easterly direction (Route de Sous L'Eglise). The sightline in the direction of oncoming traffic is limited due to the 1m high roadside wall and existing trees and bushes.

Given the proposed gate is set approximately one car length back from the carriageway and noting the light traffic flows past the access, there are no traffic management concerns regarding a gated arrangement as per the plans.

In relation to the new walls leading to the gate, there is no concern from a road safety perspective that the sightline in the direction of oncoming traffic (to the west) would be worsened by the proposal because the predominant obstruction of visibility is due to roadside trees and bushes. The sightline to the south would be unaffected. In the case of the sightline to the east, it appears that the remodelled wall would not increase to above 900mm in the section that could impact on the sightline (roadside and to a point 1m back from the rear of the public footpath). Providing this is the case, there are no road safety concerns regarding the application.

Summary of Issues:

1. Principle of development
2. Impact on road safety and traffic management
3. Impact on local character

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The principal aim of the Island Development Plan is to help maintain and create a socially inclusive, healthy and economically strong Island, while balancing these objectives with the protection and enhancement of Guernsey's built and natural environment and the need to use land wisely.

Furthermore, it is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting Conservation Areas, to secure so far as possible that the special historic, architectural, traditional or other special characteristics (including setting) are preserved.

Policy GP13 is generally supportive of proposals for domestic extensions, alterations and other such householder development, unless material considerations indicate otherwise or conflicts with other Plan policies or the States strategic objectives are identified.

The access is positioned immediately on the junction of Rue de L'Eglise and Route de Sous L'Eglise and is therefore widely visible. The use of matching granite for the construction of the roadside boundary wall will help ensure that the proposed access appears acceptable in the setting and blends well. It is therefore not considered that there would be any overriding conflict with the aims and objectives of policies GP1, GP4, GP8 and GP13.

The Traffic and Highway Service have advised that they have no objection to the proposal in terms of road safety as the cobbled area is sufficient for a car to be located off the carriageway and the sight lines are acceptable to prevent any highway safety or traffic management issues. Given this, the application is acceptable in terms of Policy IP9.

Date: 17/03/2023

