

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 section of wall to widen vehicle access and erect shed to south-east boundary.

LOCATION: Grand Frere, Les Petites Mielles, St. Sampson.

APPLICANT: L Jenner

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: 07/02/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 03/01/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: grey bear drawing no's: 129-4-401 Rev C, 404 Rev A & 405 Rev A and Shed photo and dimensions.

Application Ref: FULL/2022/2365

Property Ref: B016620000

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 enlarged access being brought into use, the end of the enlarged opening shall be finished off using materials and a method of construction which match the approved plans.

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

Expiry Date: This permission will cease to have effect on 06/02/2026 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/2022/2365
Property Ref: B016620000
Valid date: 03/01/2023
Location: Grand Frere Les Petites Mielles St. Sampson Guernsey GY2 4RU
Proposal: Remove section of wall to widen vehicle access and erect shed to south-east boundary.
Applicant: L Jenner

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 enlarged access being brought into use, the end of the

enlarged opening shall be finished off using materials and a method of construction which match the approved plans.

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

OFFICER'S REPORT

Brief Description of the site:

The site is located to the south side of Les Petites Mielles. The property is comprised of a detached dwellinghouse with enclosed rear garden and the existing front boundary wall has an access opening width of approx. 3.5m.

The site is located within the L'Islet Local Centre as designated by the Island Development Plan (IDP).

Relevant History:

FULL/2022/1892- Remove garage door and install window and door to north-west elevation, alterations to fenestration and erect open bike store to south-west (rear) elevation.

FULL/2019/1289- Demolish garage to northwest elevation. Erect single storey garage to northwest elevation and single storey extension to southwest elevation.

FULL/2018/2385- Alter and convert existing garage to form new dwelling, demolish south-east extension on existing dwelling and outbuildings and create vehicular access.

Existing Use(s):

01 Residential dwellinghouse

Assessment: *(Tick as appropriate)*

no representation

✓
✓
✓
✓

accords with policy

within curtilage

design acceptable

visual amenity acceptable

no material neighbour impact

traffic not affected

✓
✓
✓

Policies considered most relevant:

GP1: Landscape Character and Open Land

GP8: Design

GP13: Householder Development

Conclusion/Brief comment:

The existing access is approx. 3.5m wide and it is proposed to enlarge the opening to 5m. The proposed width has been reduced from 6m through amended plans received at the request of the planning officer. This is acceptable in relation to Policy GP1 and Policy GP8 as the existing wall contributes to the character of the area and the proposal is not for the removal of a large section of this wall. The proposed loss of a 1.5m section retains and respects the character.

The access is existing and so there are no additional impacts in terms of highway safety anticipated.

The proposed shed measures 2.3m x 3m x 1.8m, which is of an acceptable size and scale for its domestic use, and the position in the rear garden will not result in any harm to neighbouring amenity and will be screened by the existing fencing. The shed is acceptable in relation to the relevant policies GP8 and GP13.

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: 07/02/2023

