

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: Install hard surfacing and landscaping to driveway, install decorative railing around basement area (Protected Building).

LOCATION: Palma, No 1 Brock Terrace, Grange Road, St. Peter Port.

APPLICANT: Mr & Mrs Harford

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: 04/10/2023

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

Drawing Nos: DRP - 2381-DR-06, 07B, 08A & 09.

Application Ref: FULL/2023/0442

Property Ref: A306880000

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 end of the temporary access permission, 31/12/2023, the ends of the new opening shall be finished off using materials and a method of construction which match the remainder of the wall and railings.

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

5.The planters should be fully constructed in accordance with the plans hereby within two months of the approved hardstanding having been laid.

Reason - In the interests of visual amenity and the setting of the Protected Building.

Expiry Date: This permission will cease to have effect on 03/10/2026 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/2023/0442
Property Ref: A306880000
Valid date: 01/03/2023
Location: Palma No 1 Brock Terrace Grange Road St. Peter Port
Guernsey GY1 1RQ
Proposal: Install hard surfacing and landscaping to driveway, install
decorative railing around basement area (Protected Building).

Applicant: Mr & Mrs Harford

RECOMMENDATION - Grant: Planning Permission with Conditions:

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Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

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INFORMATIVES

OFFICER'S REPORT

Brief Description of the site:

The property known as '1 Brock Terrace' is a semi-detached early 1800's two and a half storey town house with basement. The house is set back from and faces north onto Grange Road, to the west is the adjacent semi, to the south a rear garden and another property and to the east is Vauvert Road. The property is located in the St Peter Port Main Centre and Conservation Area as defined in the Island Development Plan. The property is also a Protected Building.

Relevant History:

FULL/2020/0623, FULL/2022/0545 & FULL/2023/0398 – Demolish section of roadside wall to create temporary site access (Retrospective) (Protected Building) – Approved June 2020, April 2022 & March 2023 respectively.

FULL/2019/0535 - Demolish extensions to south (rear) of property. Erect two storey pitched roof and single storey flat roof extension and install captains dormer window and external landing and steps to south (rear) elevation. Install dormer window and rooflight to north (front) elevation, alterations to fenestration and internal alterations (Protected Building) – Approved Sept 2019.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

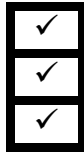
no representation



visual amenity acceptable



accords with policy
within curtilage
design acceptable



no material neighbour impact
traffic not affected



Policies considered most relevant:

GP4: Conservation Areas
GP5: Protected Buildings
GP8: Design
GP13: Householder Development
IP9: Highway Safety, Accessibility and Capacity

Consultations:

Traffic and Highway Services (THS)

'Although this application will likely see the access / driveway used more frequently than the previous owners of the property did, I don't believe that it would be reasonable for THS to object to the application, as the access (irrespective of the frequency of previous use) is an existing access – and has certainly been used extensively during the course of building works at the property over the last few years.

On the basis that the application widens the existing slightly, this would be a positive. In relation to the access' proximity to the junction, a driver egressing in a forward direction has the advantage of passing over the footpath before entering the traffic lanes. In common with a number of property accesses around the island which are located within the signalised junction, in practice the phasing of the signals will determine the point at which a driver who is egressing can safely move into the carriageway. The pedestrian crossing (along with pedestrians waiting to cross) can easily be seen by a driver egressing, and therefore THS would not raise objections to this application under either road safety or traffic management grounds.'

Conclusion/Brief comment:

This application is to permanently retain a 2.5m wide access from Grange Road and to re-install the gates and leave them in the open position and to install hard surfacing with associated landscaping to the front driveway of the Protected Building and to install new 1.1m high decorative railings (to match existing) around the basement front, to the north elevation of Palma.

The application was deferred because the planter south of the vehicular opening was deemed to be too big and too close to the opening, which could be an obstruction for vehicles entering or exiting the site and also to seek clarification regarding the proposed railings and other application details. Historically the front of the property was a garden with limited access through the front opening, which was merely 2.24m wide, there is no evidence on the aerial photos of this opening ever being

used to enable cars or any other motorised vehicle to access the front garden area for parking.

The agents amended the drawings to show a reduced planter in front of the opening and they submitted a supporting statement explaining the design decisions. The garage located at the south end of the site has access off Vauvert, however, there is no link between the garage and the rear garden, if someone parks in the garage they then have to walk around the exterior of the site and enter through the main entrance gate off the Grange, which is not convenient/accessible.

The problem of the planter being an obstacle has largely been removed, but it still keeps a reasonable amount of landscaping within the front area and allows the hard landscaping to provide a turning area for vehicles as well as a parking area.

The proposals are now considered to strike a balance between soft and hard landscaping and with the addition of the decorative railings around the front of the property, which match those around the northern boundary, the proposals are thought to enhance the special character and appearance of the surrounding conservation area. The proposals are not considered to have any detrimental impacts on the special interest of the protected building.

The proposals will not have any adverse impacts on neighbour amenity.

Traffic and Highways Services (THS) have stated that they would not raise any objections to the proposals under either road safety or traffic management grounds.

A condition has been added to ensure the completion of the newly approved vehicular access is done in a timely manner, in the interest of visual amenity and the setting of the Protected Building.

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: 04/10/2023

