

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 existing vehicle access, widen, erect walls, vehicle and pedestrian gated access to The Lodge, remove section of hedge and earthbank to create additional agricultural gated vehicle access.

LOCATION: The Lodge, Rue Des Choffins, St. Saviour.

APPLICANT: Mr & Mrs Hilton

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: 27/06/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/05/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd: 7735-01 B1A, B2, B3

Application Ref: FULL/2023/0823

Property Ref: E006530000

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.The walls either side of the domestic vehicular access hereby permitted shall be rendered on both sides within 28 days of construction.

Reason - In the interests of visual amenity.

5.Within four weeks of the new field access being formed, the ends of the new opening shall be finished off using materials and a method of construction which match the remainder of the earthbank.

Reason - In the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 26/06/2026 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/2023/0823
Property Ref: E006530000
Valid date: 22/05/2023
Location: The Lodge Rue Des Choffins St. Saviour Guernsey GY7 9XW
Proposal: Alter existing vehicle access, widen, erect walls, vehicle and pedestrian gated access to The Lodge, remove section of hedge and earthbank to create additional agricultural gated vehicle access.

Applicant: Mr & Mrs Hilton

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. The walls either side of the domestic vehicular access hereby permitted shall be rendered on both sides within 28 days of construction.

Reason - In the interests of visual amenity.

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Reason - In the interests of visual amenity.

OFFICER'S REPORT

Brief Description of the site:

The Lodge is situated to the south of Rue Des Choffins and agricultural land exists to the east and the reservoir to the south. An existing vehicular access to the dwelling is situated adjacent to the east boundary with the agricultural land and this is flanked by existing earthbanks with high gate pillars and gate set back from the road to enable vehicles to pull clear off the highway whilst the electric gate opens. A field access for this neighbouring field is also adjacent to this same boundary (west field boundary).

The application seeks to make alterations to the existing vehicular access serving The Lodge by introducing rendered walls and a gate, set back from the road frontage. A new vehicular access is proposed to be inserted in the north, roadside boundary serving the neighbouring agricultural land which will require the removal of a section of hedge and earthbank.

The site is located Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan.

Relevant History:

None.

Existing Use(s):

01 dwellinghouse
28 agriculture

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

x
x
x

visual amenity acceptable
no material neighbour impact
traffic not affected

x
x
x

Policies considered most relevant:

Island Development Plan policies:

OC5(A): Agriculture Outside of the Centres – within the Agriculture Priority Areas

GP8: Design

GP9: Sustainable Development

IP9: Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

The proposed works to the domestic access are considered acceptable, will not result in harm to the character and appearance of the locality or to residential amenity.

The proposed additional vehicular access to the adjoining field would have better visibility onto the road than the existing, which slopes steeply and is situated close to a bend in the road. Furthermore, although a section of the roadside boundary would be lost the majority of the boundary would remain in order to preserve the character and appearance of the rural location. It would be unreasonable therefore, to insist that the existing access is infilled.

Both the existing and proposed accesses that are the subject of the application would be satisfactory in highway safety terms.

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.

In view of the above it is recommended planning permission is granted for the proposed development.

Recommendation:

Grant with Conditions

x

Date: 26 June 2023

