

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: Alteration to roadside wall to relocate vehicle access.

LOCATION: Bonanza Cottage, Route De La Ramee, St. Peter Port.

APPLICANT: Mr & Mrs A & V Pires

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: 17/08/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 27/06/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Naftel Associates - A180901/PD/100A, 110A & 111.

Application Ref: FULL/2023/0998

Property Ref: A208990000

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 new access being brought into use, the end(s) of the new opening shall be finished off using materials and a method of construction which match the remainder of the wall.

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

5.Prior to completion of, or the first use of the new access point hereby approved (whichever is the sooner) the existing access point and the damaged section of roadside wall shall be closed permanently in accordance with details shown on the approved drawing reference: 111.

Reason - To minimise the number of points of access in the interests of highway safety and to ensure that the access points are appropriately enclosed in the interests of visual amenity.

6.Other than any existing planting shown on the approved drawings any additional/new planting of any type planted within the visibility splays shown on drawing reference 110 RevA shall be maintained so as not to exceed a maximum height of 900mm from ground level.

Reason - To ensure that the visibility splays are maintained in the interests of highway safety.

Expiry Date: This permission will cease to have effect on 16/08/2026 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/2023/0998
Property Ref: A208990000
Valid date: 27/06/2023
Location: Bonanza Cottage Route De La Ramee St. Peter Port Guernsey
GY1 2TW
Proposal: Alteration to roadside wall to relocate vehicle access.

Applicant: Mr & Mrs A & V Pires

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 new access being brought into use, the end(s) of the new opening shall be finished off using materials and a method of construction which match the remainder of the wall.

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

5. Prior to completion of, or the first use of the new access point hereby approved (whichever is the sooner) the existing access point and the damaged section of roadside wall shall be closed permanently in accordance with details shown on the approved drawing reference: 111.

Reason - To minimise the number of points of access in the interests of highway safety and to ensure that the access points are appropriately enclosed in the interests of visual amenity.

6. Other than any existing planting shown on the approved drawings any additional/new planting of any type planted within the visibility splays shown on drawing reference 110 RevA shall be maintained so as not to exceed a maximum height of 900mm from ground level.

Reason - To ensure that the visibility splays are maintained in the interests of highway safety.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a detached cottage situated to the southwest of Route de la Ramee. The cottage is currently being renovated and extended subject to planning permission references: FULL/2019/0402 & FULL/2020/1483.

Surrounding the site, the area comprises residential properties to the northeast and east with open fields to the north and west. To the south the property adjoins Guernsey Gardens.

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

Relevant History:

FULL/2020/1483	Variation to previously approved plans to erect a single storey extension to rear (west) elevation, install rooflights at front (east) elevation and dormer window to west elevation - alterations to	Granted 24/09/2020
----------------	---	-----------------------

	fenestration and erect a balustrade to the rear to create a first floor balcony above the first floor extension.	
FULL/2019/0402	Erect single storey rear (west) extension, install rooflights at front (east) and dormer to rear (west), demolish and re-build chimneys and alterations to fenestration.	Granted 27/03/2019

Existing Use(s):

Residential – Use Class 1

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

GP1: Landscape Character and Open Land
 GP8: Design
 GP13: Householder Development
 IP9: Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

The existing vehicle access point is situated in the southeast corner of the site and comprises a total width of circa 4.7m. In this position the access is close to the corner in Route de la Ramee on the approach to the site from the south and visibility is hindered by existing vegetation in this direction making the access point difficult to negotiate when exiting. The existing configuration also has limited turning area within the site to enable cars to access and leave forward facing.

Under this proposal the existing access point will be enclosed with a low level (850mm high from ground level) granite wall, with brick coping to match the remainder of the wall. A new 4.5m opening will be formed in a centralised position within the site, which will incorporate the existing pedestrian access point. In the new position the centre point of the new vehicle access will be situated circa 27m from the start of the corner in Route de La Ramee and to provide the visibility splays in this direction the applicant has purchased a section of land to the south and will clear the shrubs/bushes immediately adjacent to the roadside. The tree to the south of the site outside of the required visibility splay which contributes to the rural character of the area is shown to be retained on the proposed drawing. The

application drawing shows that the required 33m visibility splay will be provided in this direction.

To the north the roadside boundary comprises a 850mm high granite wall with trees and shrubs further on the neighbouring site which are outside of the applicants control. Although the visibility splay will be hindered slightly by existing vegetation in this direction Route de la Ramee is a relatively wide straight section of road and the low boundary wall will provide good visibility of the access for vehicles approaching the site. Furthermore, the cars approaching will be reducing speed on the approach to the corner and will be on the left hand side of the carriageway which will be more visible from the access point. An existing opening is also proposed to be enclosed with a low level granite wall with brick coping to match the remainder of the roadside wall which will improve the visual appearance of the site and reduce the amount of openings in the roadside boundary to only the relocated access point proposed. On balance therefore, the improvements in the visibility and highway safety by relocating the access point away from the corner to the south will far outweigh the shortfall in visibility splay to the north. The scheme also proposes an improvement to the parking layout to the front of the site to enable cars to access, turn within, and leave the site forward facing Any harm to highway safety would therefore not be so substantial to warrant the refusal of planning permission.

The enclosure of the existing openings using a granite wall to match the remainder of the wall will ensure that a uniform boundary treatment is provided which will improve the visual character and appearance of the site. It is however recommended that to ensure that this is completed in a timely manner and to ensure that only a single access point is provided (in the interests of highway safety) a condition is included for these access points to be enclosed prior to the first use of the relocated access point.

The scheme would not impact on residential amenity in any way. The scheme proposes to use permeable paving where hardstanding is proposed and sustainable drainage systems in accordance with Policy GP9 (Sustainable Development).

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.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies and relevant material planning considerations; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 17/08/2023

