

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: Relocate vehicle access to Vouvray and create new access to The Nook and associated boundary alterations to south-west boundary.

LOCATION: The Nook & Vouvray, Rue De La Villette/La Croute Lane, St. Martin.

APPLICANT: Mr Holland

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: 01/11/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 21/06/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Evans Architecture Ltd - 2209 01.01, 03.01B & 03.02A.

Application Ref: FULL/2023/1022

Property Ref: J009280000+J009290000

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 two months of either new access being formed, the earthbank approved to the east of the new opening serving Vouvray shall be constructed in accordance with the guidance contained on page 3 of Conservation Advice Note 3 - Earth Banks in Guernsey.

The walls to either side of the new access serving The Nook shall be constructed in accordance with the approved plans within two months of this access being formed.

Reason - To ensure a satisfactory design and external appearance in the interests of visual amenity.

5.All new and existing planting within the visibility splays of both accesses must be maintained at a maximum height of 0.9m. This includes the first metre of new hedge to the west of Vouvreys access.

Reason - To make sure that drivers leaving the access have adequate visibility of vehicles already on the highway.

Expiry Date: This permission will cease to have effect on 31/10/2026 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/2023/1022
Property Ref: J009280000+J009290000
Valid date: 21/06/2023
Location: The Nook & Vouvray Rue De La Villette/La Croute Lane St. Martin Guernsey GY4 6QD
Proposal: Relocate vehicle access to Vouvray and create new access to The Nook and associated boundary alterations to south-west boundary.
Applicant: Mr Holland

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).

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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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The walls to either side of the new access serving The Nook shall be constructed in accordance with the approved plans within two months of this access being formed.

Reason - To ensure a satisfactory design and external appearance in the interests of visual amenity.

5. All new and existing planting within the visibility splays of both accesses must be maintained at a maximum height of 0.9m. This includes the first metre of new hedge to the west of Vouvreys access.

Reason - To make sure that drivers leaving the access have adequate visibility of vehicles already on the highway.

OFFICER'S REPORT

Brief Description of the site:

The Nook and Vouvray are neighbouring properties which are located north of La Croute Lane and west of Rue de la Villette. Vouvray is set back from and faces south onto La Croute Lane with its vehicular entrance on the east end of the south boundary. The Nook faces east onto Rue de la Villette, however at present its vehicular access is from the north past La Villette de Haut. There are detached neighbouring properties in each direction. The properties are located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation

☒

accords with policy

☒

within curtilage

☒

visual amenity acceptable

☒

no material neighbour impact

☒

traffic not affected

☒

design acceptable

X

Policies considered most relevant:

GP8: Design

GP13: Householder Development

IP9: Highway Safety, Accessibility and Capacity.

Consultations:

Traffic and Highways Services.

'The sightline in the direction of oncoming traffic from both Vouvray and The Nook's proposed vehicle accesses would meet the minimum recommended standard.

In terms of sightlines for approaching traffic, The Nook's proposed access would not meet the recommended standard and it is worth noting that the nearest point of the proposed access to the junction of La Croute Lane and Rue De La Villette measures at 11m.

The sightline of approaching traffic for the new proposed access for Vouvray may be slightly below the recommended minimum standard, however the existing access for Vouvray is closer to the junction and as such, the proposed sightline for approaching traffic would be greater than it is for the existing.

La Croute Lane is a neighbourhood road with a speed limit of 35mph. Due to the narrow width of the road, there is insufficient room for two vehicles to pass each other and as such it is likely that drivers will position their vehicle towards the centre of the road. This therefore leaves little manoeuvring room for vehicles exiting from an access to edge out in order to increase the visibility of approaching traffic. Although no analysis of average vehicle speeds was undertaken during THS' assessment, it was clear that drivers did adjust vehicle speed in accordance with the road conditions and this was particularly observed when vehicles were using the La Croute Lane and Rue De La Villette junction.

THS has noted that there is intention to install hedging to the west of Vouvray's proposed access and an earth bank to the east. In addition, new planting is proposed to be installed to the immediate east of The Nook's proposed access. To ensure the greatest sightline possible THS would recommend that any planted areas at the mouth of an access consist of low level planting where possible and should not exceed 900mm in height, particularly those edges of planting which are situated within the visibility splay.

In conclusion, THS is supportive of the proposals but believes modifications are required in order to secure the best outcome from a road safety perspective.'

Following the deferral of the application in relation to sightlines THS supported the use of a planning condition relating to the height of all roadside boundary treatments.

Conclusion/Brief comment:

This application is to open up a new 4.5m wide vehicular access onto La Croute Lane at the west end of the south boundary of Vouvray to service the property. The existing opening for Vouvray will be moved slightly to the east and will become the new 4.5m wide vehicular access for The Nook onto La Croute Lane.

Traffic and Highways Services were consulted on this application to ensure there weren't any impacts on highway safety. They suggested that the new earthbank between the two entrances was kept to a 0.9m high maximum, to ensure good sight lines, and recommended that any planted areas at the mouth of either access should consist of low level planting which should not exceed 0.9m in height, particularly those edges of planting which are situated within the visibility splay.

The application was deferred to allow the drawings to be amended in relation to the height of the bank but was also deferred in order for sightlines for the access The Nook to be shown. THS were re-consulted in relation possible obstructions within the visibility splays.

The proposals are considered to be of good design, they do not have any detrimental impacts on the character and appearance of the surrounding area, nor will they have any adverse effects on neighbour amenity.

The proposals are now considered to comply with policy IP9 regarding highway safety with appropriate sight lines for each access. In line with advice provided by THS, conditions relating to the height of banks/planting in the visibility splays for both accesses are proposed.

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: 30/10/2023

