

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: Erect single storey detached garage to south of dwelling, widen existing vehicle access and remove section of wall and hedge to create additional access.

LOCATION: Les Quatre De Nous, Grande Rue, La Turquie, Vale.

APPLICANT: Mr & Mrs M Mahieu

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: 28/07/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 29/06/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTECH Freelance Architecture: MM-23-1126-02B & 03C

Application Ref: FULL/2023/1075

Property Ref: C004530000

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 visibility splays at the enlarged and new junctions between the two means of access and the highway have been provided in accordance with the approved plans and thereafter no obstruction to vision exceeding 0.9m in height shall be placed within the splay areas.

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

Expiry Date: This permission will cease to have effect on 27/07/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the erection of garage to be used as an integral part of and incidental to the principal dwelling presently known as Les Quatre De Nous. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

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/2023/1075
Property Ref: C004530000
Valid date: 29/06/2023
Location: Les Quatre De Nous Grande Rue La Turquie La Turquie Vale
Guernsey GY3 5EE
Proposal: Erect single storey detached garage to south of dwelling, widen existing vehicle access and remove section of wall and hedge to create additional access.
Applicant: Mr & Mrs M Mahieu

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 visibility splays at the enlarged and new junctions between the two means of access and the highway have been provided in accordance with the approved plans and thereafter no obstruction to vision exceeding 0.9m in height shall be placed within the splay areas.

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

INFORMATIVES

For the avoidance of doubt, this decision permits the erection of garage to be used as an integral part of and incidental to the principal dwelling presently known as Les Quatre De Nous. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

OFFICER'S REPORT

Brief Description of the site:

Les Quatres Des Nous is a detached dwelling located to the west of Grande Rue, Vale. The property benefits from gardens to the west and south of the property with an area of hardstanding for off-road parking to the front/east of the dwelling.

The site is located Outside of the Centres. Auckland, a property to the south is a Protected Building.

Relevant History:

FULL/2012/2682 - Widen existing vehicular entrance and extend parking area to front of property - granted

FULL/2013/2237 - Extend domestic curtilage to west boundary and install raised decking and patio - granted

FULL/2018/0684 - Sub-divide existing dwelling into four residential units with associated amenity space and parking, erect block of four garages and demolish section of roadside wall to form 5m wide vehicular access - granted

FULL/2018/2928 - Demolish existing dwelling and erect 4 dwellings with associated parking and landscaping and widen existing vehicle access – granted

Existing Use(s):

01 dwellinghouse

Assessment: *(Tick as appropriate)*

no representation	x
accords with policy	x
within curtilage	x
design acceptable	x

visual amenity acceptable	x
no material neighbour impact	x
traffic not affected	x

Policies considered most relevant:

GP8: Design
GP9: Sustainable Development
GP13: Householder Development
IP7: Private and Communal Car Parking
IP9: Highway Safety, Accessibility and Capacity

Consultation:

Traffic and Highway Services - commented on the earlier scheme and confirmed that the widened access (from 3.5m to 5m) would enable drivers egressing to obtain a 33m sightline in both directions.

THS raised no objection to a 4m wide access and identical boundary wall heights would enable sightlines that meet the recommended standard.

In both cases THS drew attention to the foliage that is adjacent to the access and that in order to maintain the sightlines the foliage should be maintained in such a manner as to not interfere with the visibility splay.

Conclusion/Brief comment:

As part of the 2018 subdivision scheme permission was granted to erect flat roof block of four garages and demolish section of roadside wall to form 5m wide vehicular access. The current proposal relates to the erection of a pitched roof garage with loft storage to the side of the dwelling although larger, taller and set further back than the earlier scheme partly given the new access now proposed. Both the subdivision scheme and redevelopment scheme saw the existing access widened to 5m and this also forms part of the current application.

The design and external appearance of the proposed detached garage achieves a good standard of design and it will not result in overshadowing or overlooking of adjoining dwellings/gardens.

Although the garage is taller than the existing dwelling on the site the existing property has a low, pitched roof but is somewhat sprawling in nature. There are a variety of building heights and designs in the vicinity, for example the neighbouring property to the south is a substantial two storey dwelling. The proposed one and a half-storey garage provides for both efficient and effective use of land and flexible, accessible and adaptable accommodation in line with the aims of the IDP.

When travelling along Grande Rue it will be viewed in the context of the existing built development, with a large, detached house at Auckland and the subservient roof of the main house. The roadside wall and existing/proposed screening also offers some mitigation of the proposed development in line with the aims of Policy GP8.

The site is not situated in a Conservation Area and although a section of the boundary wall has been lost to form a new access, a large proportion will remain intact and will continue to provide an adequate boundary feature. In this particular instance it is considered therefore that any adverse impact on the character of the area as a result of the development is not so substantial to warrant the refusal of planning permission. The application drawings show that the required visibility splays will be provided in both directions and also confirm that any boundary treatments either side of the entrance point will be kept to a maximum of 900mm from ground level to prevent any obstruction. Considering the above the scheme would not harm highway safety.

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 permission is granted for the proposed development.

Recommendation:

Grant with Conditions



Date: 27/07/2023

