

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: Remove section of hedge to create an additional vehicle access to east (roadside) boundary.

LOCATION: South Grange De Beauvoir, Les Granges De Beauvoir, St. Peter Port.

APPLICANT: Mr & Mrs A Athaide

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: 25/08/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/06/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd: 7722-01 B1 & B2

Application Ref: FULL/2023/1076

Property Ref: A310470000

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 of the new opening shall be finished off using materials and a method of construction which match the existing end.

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

Expiry Date: This permission will cease to have effect on 24/08/2026 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/2023/1076
Property Ref: A310470000
Valid date: 13/06/2023
Location: South Grange De Beauvoir Les Granges De Beauvoir St. Peter
Port Guernsey GY1 1QP
Proposal: Remove section of hedge to create an additional vehicle
access to east (roadside) boundary.

Applicant: Mr & Mrs A Athaide

RECOMMENDATION - Grant: Planning Permission with Conditions:

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

INFORMATIVES

OFFICER'S REPORT

Site Description:

The property known as 'South Grange de Beauvoir' is an early 19th century detached three storey dwelling which is located pretty much in the middle of the site and faces north. Les Granges de Beauvoir runs along the west boundary (the existing vehicular entrance is to the north of the west boundary), York Avenue runs along the east boundary, with a pedestrian access to the north of the east boundary. There are other large detached dwellings to the north, west across the road and a Protected Building to the south. Across the road to the east are small dwellings. The property is 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.

Brief Description of Development:

This application is to remove a section of hedge along the to create an additional vehicle access to the east boundary by opening up the existing pedestrian access onto York Avenue.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

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

Representations:

There has been one letter of representation and the issues are:

- The reason for questioning this application to provide vehicular access into York Avenue is not to object in principle, but to draw to your attention the actual position of the proposal. Currently, there is a gate from the property onto York Avenue, opposite St. Stephen's Lane. Next to the gate is a lamp post mentioned in the application but more importantly, holding the one way sign for anyone leaving St. Stephen's Lane. The positioning, therefore, of the new vehicular access requires more consideration than appears to be given at present and I would ask that my concerns are fully taken into account.

Consultations:

Traffic and Highways Services (THS).

'A site visit was conducted by THS staff, and the access design and resultant effect of vehicles egressing the access if planning permissions are given are not considered to be detrimental to overall traffic flows or road safety in the vicinity of the new access.'

From a road safety perspective, York Avenue is a one-way road, with oncoming traffic heading north past the new access. The design shown in the plans, will afford a driver egressing a sightline which meets or exceeds the 33m standard that THS would apply at this location. The sightline is dependent on the roadside foliage being maintained at a height of less than 900mm south of the access for approximately 30m (which was as observed when THS officers carried out the site visit) – in practice, if the new access is given planning permission, then it will be in the interests of the property owners to continue a maintenance routine which continues to afford the 33m sightline, in order for the access to be safely and easily used by drivers egressing from the property onto York Avenue.

In relation to the proposed access being directly opposite St Stephen's Lane, this is not considered to present a problem from a road safety perspective, as there is a Stop Line at the end of St Stephen's Lane, and for both drivers of vehicles either egressing St Stephen's Lane or the new access, they will have clear direct sight of each other.

Lastly, it is worth commenting from a road safety perspective that the current vehicle access and egress arrangements for Les Grange de Beauvoir is to access and egress the carriageway via the archway at Ivy Gates onto the Rohais / Ivy Gates junction. Although this access onto the Rohais / Ivy Gates junction is used by all of the properties within Les Granges de Beauvoir, the sightline of oncoming vehicles when egressing the archway is significantly below the sightline standard (sightline is in the order of 2 – 3m) and presents a recognised road safety risk. Therefore, THS would support this application inasmuch that in part, it would reduce the number of vehicles needing to access and egress via the archway at Ivy Gates.

On the basis of the above, and there being no significant traffic management impacts relating to this application, THS would support the application in its current form.

In relation to the possible need to reposition either streetlighting or the existing sign on the boundary at York Avenue, this doesn't materially affect the comments above, but THS would state that if there is a requirement to move either item of street furniture, that all costs associated, would be the responsibility of the applicant.'

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

The plans are to open up the existing pedestrian gateway by relocating the south granite pillar further to the south, removing a tree and some hedging to allow the opening to be 4m. The existing tarmac driveway will be extended and granite setts will from the bell-mouth.

Opening up a new vehicular access onto York Avenue is not considered to have any impacts on the special quality of the character and appearance of the Conservation Area, or on the setting of the adjacent Protected Building to the south.

The design has been approved by THS as the proposals allow good sight lines and the road is one way. The design takes into account the existing street lamp, which will remain in situ, all works will be to the south of the existing gateway.

THS also mentions that allowing this entrance will reduce the amount of traffic having to use Les Grange de Beauvoir via Ivy Gates. Ivy Gates is a Protected Monument which has narrow vehicular access and it opens onto the busy junction of Rohais, Courtil St Jacques, Les Graves and Rocquettes Road and can be a difficult junction to navigate.

The proposals are not considered to have any detrimental impacts on any of the nearby neighbours.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

3 - General material considerations set out in the General Provisions Ordinance.

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. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 25/08/2023