

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 carport/store and create an additional gated vehicle access to south-east of property.

LOCATION: Les Granges De Beauvoir, Ivy Gates, St. Peter Port.

APPLICANT: Mr & Mrs M Bunce

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: 27/07/2023

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: Paul Vaudin & Associates - 21 - 041 - 15, -16 & -17, Carport/Shed Details.

Application Ref: FULL/2023/1082

Property Ref: A310490000

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 granite bell mouth dwarf walls either side of the vehicle access point hereby approved shall be constructed within four weeks of the new access being formed.

Reason - To ensure that the scheme conserves the character and appearance of the Conservation Area.

Expiry Date: This permission will cease to have effect on 26/07/2026 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/2023/1082
Property Ref: A310490000
Valid date: 29/06/2023
Location: Les Granges De Beauvoir Ivy Gates St. Peter Port Guernsey
GY1 1QT
Proposal: Erect single storey detached carport/store and create an
additional gated vehicle access to south-east of property.
Applicant: Mr & Mrs M Bunce

RECOMMENDATION - Grant: Planning Permission with Conditions:

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Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

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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.

4. The granite bell mouth dwarf walls either side of the vehicle access point hereby approved shall be constructed within four weeks of the new access being formed.

Reason - To ensure that the scheme conserves the character and appearance of the Conservation Area.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a large three storey detached dwelling situated to the west of Les Granges De Beauvoir. Surrounding the site, the area comprises residential dwellings of mixed building types and design in all directions.

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

Relevant History:

FULL/2023/1089	Extend and alter at ground and first floor level including alteration to raised terrace	Pending consideration
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Existing Use(s):

Residential – Use Class 1

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

✓
✓
✓
✓

visual amenity acceptable
no material neighbour impact
traffic not affected

✓
✓
✓

Policies considered most relevant:

Island Development Policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

IP9: Highway Safety, Accessibility and Capacity.

Conclusion/Brief comment:

Planning permission is sought to erect a single storey detached carport/store and to create an additional gated vehicle access to the south-east of the property.

The Authority has a duty under Section 38 of The Land Planning and Development (Guernsey) Law, 2005 to pay *“special attention to the desirability of preserving and enhancing the character and appearance”* of Conservation Areas. This duty is encapsulated in Policy GP4: Conservation Areas of the IDP which states that *“proposals for development within a Conservation Area will be supported where the development conserves and, where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area.”*

Within Conservation Areas Policy GP8 seeks to ensure that new development achieves a particularly high standard of design whilst making effective and efficient use of land and respecting the character of the local built environment or the open landscape concerned. Development should also give consideration to the amenities of occupiers and surrounding neighbours, provide soft and hard landscaping where this reinforces local character or mitigates the development.

The proposed carport/store is of an appropriate scale, mass and form so as not to detract from the openness of the surrounding area. The design of the proposal and the materials to be used will be subservient to the host dwelling and the character of the surrounding area. Although situated forward of the existing building line of the property the carport/store will be set back from the roadside and largely screened from the surrounding area by the proposed gate (assessed below) and an existing 1.7m high hedge along the east boundary. The scheme would therefore be in-keeping with the surrounding area and any harm on the visual character or appearance of the surrounding Conservation Area would not be so substantial to warrant the refusal of planning permission.

The carport/store would not cause harm on the amenities of any neighbouring residential properties with regard to light loss, overshadowing or loss of privacy.

The creation of additional vehicle access points are usually resisted, as they can lead to the unnecessary loss of boundary walls/treatments that can result in a detriment to the character and appearance of the surrounding area, and can also adversely affect highway safety.

In this instance however, the additional access point will be formed on a private access road serving only the properties in this location. The width of the opening has been kept to a minimum and a large proportion of the boundary will remain unaltered and will continue to provide an adequate boundary feature between the property and the road. The application proposes the construction of two new natural granite bell mouth dwarf walls either side of the entrance point to match the remaining wall along this boundary. A high quality timber gate is proposed to span

the entrance. It is considered that any adverse impact on the character of the area as a result of the development proposed would be minimal and given that the road is not heavily trafficked there would be no adverse impact on highway safety.

However, it is recommended that a condition is included on any permission to ensure that the granite walls either side of the entrance point are constructed within a reasonable timeframe after the creation of the vehicle access point in the interests of visual amenity.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

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.

For the reasons contained within this report the application is acceptable in relation to the above policies and other material planning considerations.

Recommendation:

Grant with Conditions



Date: 26/07/2023

