

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 vehicle access and parking area.

LOCATION: Jireh, 11 La Mouette, Les Douze Maisons, Collings Road, St. Peter Port.

APPLICANT: Mr & Mrs I Scott

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: 02/10/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/08/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Plan & Annotated Photograph

Application Ref: FULL/2023/1306

Property Ref: A207590011

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.Prior to the area to the front of the dwelling being used for car parking, full details of the hard surface material shall be submitted to and agreed in writing by the Authority. Please note that should the parking area be constructed using permeable materials, this would constitute exempt development and therefore hard surface details would not need to be agreed.

Reason - The application has not specified the hard surface material to the front of the property therefore further details are required to avoid any ambiguity, unless the car parking area is to be development (Exemptions) Ordinance, 2007 and therefore would not need permission.

Expiry Date: This permission will cease to have effect on 01/10/2026 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/2023/1306
Property Ref: A207590011
Valid date: 08/08/2023
Location: Jireh 11 La Mouette Les Douze Maisons Collings Road St. Peter
Port Guernsey GY1 1FQ
Proposal: Remove section of hedge to create vehicle access and parking
area.
Applicant: Mr & Mrs I Scott

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. Prior to the area to the front of the dwelling being used for car parking, full details of the hard surface material shall be submitted to and agreed in writing by the Authority. Please note that should the parking area be constructed using permeable materials, this would constitute exempt development and therefore hard surface details would not need to be agreed.

Reason - The application has not specified the hard surface material to the front of the property therefore further details are required to avoid any ambiguity, unless the car parking area is to be development (Exemptions) Ordinance, 2007 and therefore would not need permission.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a semi-detached dwelling which is located on a residential clos (Les Douze Maisons). The site is situated in a Main Centre Outer Area as designated in the Island Development Plan.

Planning permission is sought to remove a section of hedging and a pedestrian gate to create a vehicle access and parking area to the front of the property.

The proposed access will be approximately 6.15m wide and will extend up to the façade of the property (4m depth). To the south of the proposed driveway lies a footpath.

The majority of properties on the clos has parking provision to the front or side of the respective properties, with Jireh being the last property to have onsite parking provision.

Relevant History:

None regarding the application site.

PAPP/1996/4741 (4 Les Douze Maisons)- Surface parking area with brick paving-
Granted

Existing Use(s):

Residential

Assessment: (Tick as appropriate)

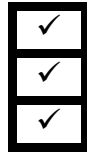
no representation



visual amenity acceptable



accords with policy
within curtilage
design acceptable



no material neighbour impact
traffic not affected



Policies considered most relevant:

GP1 Landscape Character and Open Land
GP8 Design
GP9 Sustainable development
GP13 Householder Development
IP9 Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

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.

The site is not within a Conservation Area, nor is it a protected building.

In light of the relevant policies, the proposal does not achieve a high standard of design by virtue of the width of the car parking access, limited parking depth, no turning circle, and that a standard car (5m length x 2.4m wide) is likely to overhang onto the pavement.

However, when taking into account that; other properties on the clos have a similar parking configuration to the proposed development (albeit with or without planning permission), Jireh is the last remaining property on the clos without on-site parking provision, the impact on the landscape character would be limited when taking into account the characteristics and appearance of the clos, and that any potential car would not overhang onto a main highway, leads to the conclusion that the proposal would not be substantially harmful to warrant refusal. Consequently, the proposal is acceptable, and is considered to achieve a 'good' standard of design for the purposes of Policy GP8.

The hard surfacing area created should be permeable in order to represent exempt development. An informative to this effect should be attached to the decision as no details have been specified with regards to the chosen hard surface material.

The proposal will not have a detrimental impact on visual amenity, or the amenities of neighbouring residents.

Due to the low traffic volume and speeds on the clos, the proposal is unlikely to result in any significant highway safety or traffic management issues, despite the retention of the boundary hedge.

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

Recommendation:

Grant with Conditions



Date: 02/10/23