

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: Demolish section of wall to create vehicle access and parking area.

LOCATION: Euna Cottage, Le Petit Axce, Vale.

APPLICANT: Mr I Robinson

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: 18/09/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 24/07/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTech Freelance Architecture: IR-23-1133-02

Application Ref: FULL/2023/1330

Property Ref: C002870000

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 2 months of the pedestrian access being widened to form the approved vehicular access, the end of the southern section of wall forming the new vehicle access shall be made good to match the style and appearance of the northern end of the vehicle access and the existing granite stone pillar shall be reused.

Reason - in the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 17/09/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the hard surface area to the front of the house to constitute exempt development, not requiring permission, it must be constructed using permeable materials. This is to reduce surface water runoff, in the interests of sustainability. Should the applicant not wish to construct the driveway using permeable materials then a separate planning application will be required.

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/2023/1330
Property Ref: C002870000
Valid date: 24/07/2023
Location: Euna Cottage Le Petit Axce Vale Guernsey GY3 5DS
Proposal: Demolish section of wall to create vehicle access and parking area.

Applicant: Mr I Robinson

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.

4. Within 2 months of the pedestrian access being widened to form the approved vehicular access, the end of the southern section of wall forming the new vehicle access shall be made good to match the style and appearance of the northern end of the vehicle access and the existing granite stone pillar shall be reused.

Reason - in the interests of visual amenity.

INFORMATIVES

For the hard surface area to the front of the house to constitute exempt development, not requiring permission, it must be constructed using permeable materials. This is to reduce surface water runoff, in the interests of sustainability. Should the applicant not wish to construct the driveway using permeable materials then a separate planning application will be required.

OFFICER'S REPORT

Brief Description of the site:

The application site lies Outside of the Centres as designated in the Island Development Plan.

Planning permission is sought to demolish a section of wall in order to widen an existing pedestrian access in order to create a vehicle access and parking area.

The proposed access will be approximately 4m. The site appears to benefit from offsite parking provision to the west of the site, located circa 30m away under Cadastre C013720000.

Relevant History:

PAPP/2004/0800	Extend and alter dwelling and erect conservatory.	Granted
FULL/2011/0016 C013720000	Demolish existing garage and erect replacement garage.	Granted

Existing Use(s):

Residential

Assessment: *(Tick as appropriate)*

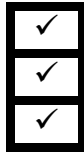
no representation



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.

The proposal adopts a good standard of design by virtue of its scale, form, massing, siting and materials. Due to its position and design, the proposal will not have a detrimental impact on the character of the area, visual amenity, or the amenities of neighbouring residents.

Despite the site benefiting from offsite parking provision some 30m away, it is considered a reasonable aspiration of the property owner to incorporate onsite parking, in principle, under Policy GP13 and when considering accessibility matters under Policy GP8.

The roadside wall is relatively low and therefore a good sightline is likely to be achievable in both directions, despite some reservations of the distances achieved as shown on the drawings submitted due to neighbouring hedges. Le Petit Axce (Hacse Lane) is recognised as a Neighbourhood Road and is likely to experience low traffic speeds and volumes. This coupled with the low boundary wall to the front of the house means the proposal is unlikely to result in significant highway safety or traffic management issues, despite neighbouring boundary treatments. In addition, similar accesses exist elsewhere along the Lane.

The degree of harm to the landscape character has been carefully balanced against the reasonable aspirations of the property owner to create a 4m wide vehicle access. The hard surfacing area created should be permeable in order to represent exempt development and the submission makes reference considering the use of permeable paving in relation to Policy GP9. An informative to this effect should be attached to the decision.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

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: 15/09/23

