

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, erect wall and create vehicle access and parking area to south (front) of property.

LOCATION: Orange Grove, Water Lanes, St. Peter Port.

APPLICANT: Mr & Mrs K & V Barlow

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: 28/09/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 27/07/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design Ltd - 22-1423 PD/01

Application Ref: FULL/2023/1342

Property Ref: A208820000

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 ends of the new opening shall be finished off using materials and a method of construction which match the remainder of the wall.

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

Expiry Date: This permission will cease to have effect on 27/09/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

In the interest of enhancing local biodiversity the species of the proposed hedge ought to be a native species.

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/2023/1342
Property Ref: A208820000
Valid date: 27/07/2023
Location: Orange Grove Water Lanes St. Peter Port Guernsey GY1 2EG
Proposal: Remove section of hedge, erect wall and create vehicle access and parking area to south (front) of property.

Applicant: Mr & Mrs K & V Barlow

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.

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

INFORMATIVES

In the interest of enhancing local biodiversity the species of the proposed hedge ought to be a native species.

OFFICER'S REPORT

Site Description:

The property known as 'Orange Grove' is an early 19th century semi-attached dwelling which is slightly set back from and faces south onto Water Lanes. The attached dwelling is to the east and to the west is a driveway to a neighbouring property to the north, beyond the driveway is another detached neighbour. To the south across the road is a site which has a pending application for a pair of semi-detached houses which will face east onto Rue du Douit. The property is located in the St Peter Port Main Centre Outer Area 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, erect a boundary wall and create vehicular access and parking to the south front of the property.

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

GP8: Design

GP13: Householder Development

IP9: Highway Safety, Accessibility and Capacity.

Representations:

There have been two letters of representation and the issues are:

- The owners agent states that a new native hedge will be planted, Laurel is not a native hedge species.
- It is noted that in paragraph 5 of the same applicant's letter dated 26 July 2023 in support of application FULL/2023/0873, in relation to the same property, it is stated that there are only 3 properties in the immediate vicinity lack off road parking and that 4 to 6 parking spaces remain (depending on whether application FULL/2023/0873 is successful). It is wondered whether further off-road parking in the vicinity is therefore considered necessary or desirable as this has the potential to be detrimental to the amenity of the neighbourhood.
- It is also noted that the application states that the provision will be for 3 motorcar and 3 motorcycle parking places which seems out of proportion to the plans submitted which apparently only show space for one large car.

Consultations:

None

Summary of Issues:

- Design of the development.
- Impact on the highway.
- 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 location of the property is along a predominant pedestrian walkway, which is only used by cars for access to the properties which line the Lane. The Lane is not within a Conservation Area.

The design of the parking area is sufficient to allow a single car to park, it creates a defined boundary with a low granite wall topped with brick capping, which will complement the other boundary wall treatments on the area. Plus a new native hedge will be planted inside the wall and additional planting to the east side of the opening will encourage biodiversity. The 'laurel' species of hedge has been omitted and the agent has agreed that a native species will be planted.

The lane is not even classified within the Traffic Management Road Hierarchy, which means it not a highly used thoroughfare, where cars would not travel at any kind of speed, therefore the proposals are not considered to have any impacts on highway safety.

Due to the proposed planting the proposal are not considered to have any detrimental impacts on the character and appearance of the surrounding area, nor will they have adverse effects on any neighbour amenity.

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.

The proposal are only for one car parking space, there was an error on the application form, which has been confirmed by the agent.

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: 19/09/2023