

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 existing earthbank, erect earthbank, walls, fencing and gates to south-east (side) and north-east (rear) of property (retrospective).

LOCATION: Sous La Lune, La Grande Rue, St. Martin.

APPLICANT: Mrs R Ashley-Still

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: 15/09/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/08/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: J G Architecture Ltd: 2341/02.01 & gate brochure pages.

Application Ref: FULL/2023/1423

Property Ref: J00171A000

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 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.

Expiry Date: This permission will cease to have effect on 14/09/2026 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/2023/1423
Property Ref: J00171A000
Valid date: 22/08/2023
Location: Sous La Lune La Grande Rue St. Martin Guernsey GY4 6RY
Proposal: Demolish existing earthbank, erect earthbank, walls, fencing and gates to south-east (side) and north-east (rear) of property (retrospective).

Applicant: Mrs R Ashley-Still

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 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.

INFORMATIVES

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Sous la Lune' is a pre-1900's semi-detached one and a half storey dwelling, which has been extended over the years. It sits in a corner plot, and is set back from and faces southwest onto La Grande Rue and La Vequesse runs along the southeast boundary. The other semi is adjoined to the northwest and there is shared parking to the northeast with a football pitch beyond. The property is located in the St Martin Local Centre and Conservation Area as defined in the Island Development Plan.

Relevant History:

FULL/2023/1392 – Install replacement windows to the southwest front elevation – Approved September 2023.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

X
X
X
X

visual amenity acceptable
no material neighbour impact
traffic not affected

X
X
X

Policies considered most relevant:

GP4: Conservation Areas
GP8: Design
GP13: Householder Development

Conclusion/Brief comment:

This is a retrospective application to remove and rebuild the earthbank along the southeast boundary, rebuild some walls, and add new gates to the southeast and northeast of the property.

Previously there was bamboo planted on top of the earthbank which was very large and unruly, the bamboo was removed but unfortunately the earthbank became

unstable. The new earthbank has been constructed in accordance with the Conservation Advice Note 3: Earth banks. The height of the earthbank is between 0.9m and 1.35m, along the southeast boundary, a new hedge had been planted on the top.

The new earthbank is very tidy and opens up the views between the two roads, especially at the junction. The low front boundary wall has been extended to wrap around the whole of the front garden area, and the earthbank runs from the building line back to the parking area. Along the northeast boundary a high timber fence has been replaced with a 0.9m block wall and will have timber cladding on top to replace the 1.8m high fence.

The wall at the side of the property has also been rebuilt and has the same brick capping as the front boundary wall.

The proposals are considered to achieve a good standard of design, using materials which complement the existing materials. The proposals mostly replace what was there beforehand, but in some cases with different materials.

The scale and massing of the proposals are not considered to have a detrimental effect on the character and amenity of the surrounding conservation area, nor will they have any impact on either of the immediate 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.

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.

Recommendation:

Grant with Conditions



Date: 15/09/2023

