

**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:** Variation to previously approved plans to remove section of hedge to create an additional vehicle access to east (roadside) boundary - relocate access to north.

**LOCATION:** South Grange Du Beauvoir, Les Granges De Beauvoir, St. Peter Port.

**APPLICANT:** Mr & Mrs A Athaide

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:** 01/11/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 28/09/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** PF+A Ltd: 7722-01 B1A & B2A

**Application Ref:** FULL/2023/1689

**Property Ref:** A310470000

**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 the original permission, see condition 4.

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 25/08/23, issued under planning application reference FULL/2023/1076, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

**Expiry Date: This permission will cease to have effect on 24/08/2026 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](http://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](mailto: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/2023/1689  
**Property Ref:** A310470000  
**Valid date:** 28/09/2023  
**Location:** South Grange Du Beauvoir Les Granges De Beauvior St. Peter  
Port Guernsey GY1 1QP  
**Proposal:** Variation to previously approved plans to remove section of  
hedge to create an additional vehicle access to east (roadside)  
boundary - relocate access to north.  
**Applicant:** Mr & Mrs A Athaide

**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.

2. The development hereby permitted shall be begun within 3 years from the date of grant of the original permission, see condition 4.

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 25/08/23, issued under planning application reference FULL/2023/1076, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

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## OFFICER'S REPORT

### Brief Description of the site:

The property known as 'South Grange de Beauvoir' is an early 19<sup>th</sup> century detached three storey dwelling which is located pretty much in the middle of the site and faces north. Les Granges de Beauvoir runs along the west boundary (the existing vehicular entrance is to the north of the west boundary), York Avenue runs along the east boundary, with a pedestrian access to the north of the east boundary. There are other large detached dwellings to the north, west across the road and a Protected Building to the south. Across the road to the east are small dwellings. The property is located Outside of the Centres as defined in the Island Development Plan.

### Relevant History:

FULL/2023/1076 – Remove section of hedge to create an additional vehicle entrance to east roadside boundary – Approved August 2023.

### Existing Use(s):

Residential use class 1: dwelling house.

### 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:

GP4: Conservation Areas

GP5: Protected Buildings (Setting)

GP8: Design

GP13: Householder Development

IP9: Highway Safety, Accessibility and Capacity.

**Conclusion/Brief comment:**

This application is for a variation to the previously approved application FULL/2023/1076. The variation is to move the entrance a few metres north, so it is on the other side of the existing street lamp.

Traffic and Highway Services have confirmed that their previous comments are still applicable and that, although the lamp post would be in the line of sight, it would not compromise highway safety sufficiently to warrant a refusal.

The rest of the previous report is still pertinent, the proposed new vehicular access onto York Avenue is not considered to have any impacts on the special quality of the character and appearance of the Conservation Area, or on the setting of the adjacent Protected Building to the south.

York Avenue is one way and classed as a Local Circulation Route, which accommodates limited through traffic and traffic movements terminating within the surrounding areas. The proposed opening still provides good sightlines and the opening will be north of the existing pedestrian gate which will be filled in.

The proposals are not considered to have any detrimental impacts on any of the nearby 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:** 01/11/2023

