

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: Erect carport and infill existing vehicle access to north boundary and create a vehicle access to east boundary. (Protected Building).

LOCATION: Les Gravees Du Sud, Les Gravees, St Peter Port.

APPLICANT: Mr C & Mrs E Kiaie

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: 07/12/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/10/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: G2A Architecture Ltd - 2833-03 B1, B2

Application Ref: FULL/2023/1982

Property Ref: A203970000

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.

5.Within four weeks of the new access being brought into use, the existing access shall be closed permanently with a granite wall to match the existing boundary treatment.

Reason - To minimise the number of points of access, in the interests of highway safety.

Expiry Date: This permission will cease to have effect on 06/12/2026 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/2023/1982
Property Ref: A203970000
Valid date: 23/10/2023
Location: Les Gravees Du Sud Les Gravees St Peter Port Guernsey GY1 1RP
Proposal: Erect carport and infill existing vehicle access to north boundary and create a vehicle access to east boundary. (Protected Building).
Applicant: Mr C & Mrs E Kiaie

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 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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OFFICER'S REPORT

Brief Description of the site:

The property known as 'Les Gravees du Sud' is a large detached two and a half storey dwelling which sits on a corner plot. The property is set back from and faces south onto Les Gravees/La Grange and Brock Road runs along the west boundary and Brock Lane runs along the north boundary, to the east is another large detached dwelling. There are neighbouring properties to the south across the main road and a garden across the road to the east. The property is located in the St Peter Port Main Centre and Conservation Area as defined in the Island Development Plan. The property and the adjacent property to the west are both Protected Buildings.

Relevant History:

There is no relevant history pertaining to this application.

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
GP5: Protected Buildings
GP8: Design
GP9: Sustainable Development
GP13: Householder Development
IP9: Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

This application is to erect a car port to the north boundary wall in the existing parking area. Infill the existing vehicular entrance, which is off Brock Lane in the east end of the north boundary and create a new 4m vehicle access in the north end of the existing eastern boundary with a 1.2m bell-mouth.

The eastern boundary comprises an approx. 3m high granite wall, which runs for 66m before curving round to the south boundary, where lowers to approx. 1m. The omission of a 3m section of this long high granite boundary is not considered to have any detrimental impacts to the special quality of the character and appearance of the surrounding conservation area because there will still be over 60m of granite wall. Therefore the policies comply with policy GP4

The proposals are considered to be far enough away from the protected building for them not to warrant affecting the special interest of the protected building or its setting, therefore the proposals comply with policy GP5.

Moving the entrance to the property from the south boundary to the eastern boundary would mean easier access as Brock Road is one way from the south going north. The sightlines would have to be compliant with the traffic guidelines, but seeing as though vehicles leaving the property would only require a sight line southward towards incoming traffic, a very straight road, there does appear not to be an issue.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

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 Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 06/12/2023

