

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: Infill existing vehicle access, relocate access and alter wall to north boundary, remove and replant hedging and alter height of existing wall to east boundary (revised scheme).

LOCATION: Rose Cottage, Collings Road, St. Peter Port.

APPLICANT: Mr & Mrs D Lloyd

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: 20/12/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/11/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Chris Workman & Co. Ltd: DL:23:01/01B.

Application Ref: FULL/2023/2200

Property Ref: A208300000

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.Notwithstanding the information submitted, within 2 months of the new vehicular access hereby approved being created, the existing vehicular access shall be blocked up, with the outer (roadside) face of the wall consisting of granite to match as closely as possible to the existing roadside wall, in terms of its method of construction and appearance, in accordance with the approved details on drawing no. 01B.

Reason - To restrict the number of access points to the property in the interests of visual amenity and highway safety.

5.Notwithstanding the information submitted, the replacement hedge shall be planted within the next planting season (October - April) following the removal of the existing hedge sited along the east boundary, in accordance with the approved details on drawing no. 01B. The hedge shall be retained thereafter.

Reason - To satisfactorily screen the existing fence along the inside of the east boundary to respect the character and appearance of Mandly Beech Estate.

Expiry Date: This permission will cease to have effect on 19/12/2026 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/2023/2200
Property Ref: A208300000
Valid date: 06/11/2023
Location: Rose Cottage Collings Road St. Peter Port Guernsey GY1 1FP
Proposal: Infill existing vehicle access, relocate access and alter wall to north boundary, remove and replant hedging and alter height of existing wall to east boundary (revised scheme).

Applicant: Mr & Mrs D Lloyd

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).

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. Notwithstanding the information submitted, within 2 months of the new vehicular

access hereby approved being created, the existing vehicular access shall be blocked up, with the outer (roadside) face of the wall consisting of granite to match as closely as possible to the existing roadside wall, in terms of its method of construction and appearance, in accordance with the approved details on drawing no. 01B.

Reason - To restrict the number of access points to the property in the interests of visual amenity and highway safety.

5. Notwithstanding the information submitted, the replacement hedge shall be planted within the next planting season (October - April) following the removal of the existing hedge sited along the east boundary, in accordance with the approved details on drawing no. 01B. The hedge shall be retained thereafter.

Reason - To satisfactorily screen the existing fence along the inside of the east boundary to respect the character and appearance of Mandly Beech Estate.

OFFICER'S REPORT

Site Description:

The application site, known as Rose Cottage, contains a traditional detached dwelling-house located on a corner plot on the junction of Collings Road and Mandly Beech Estate.

The property is enclosed by a granite wall of varying heights to the front, which rises to approximately 2.7m high. The east boundary consists of a low wall towards the front of the site, with hedging surmounted on top. Large conifers exist towards the rear, approximately 4m in height.

The property is located within a Main Centre Outer Area as defined in the Island Development Plan.

Relevant History:

FULL/2023/1011	Infill existing vehicle access, relocate access to north boundary, remove hedge and raise height of existing wall and erect fence to east boundary	Refused
FULL/2018/2694	Demolish existing garage and erect replacement two storey dower unit on west side of dwelling, demolish chimney and install rooflights. Erect garage to east of dwelling.	Granted

PAPP/2008/1996	Increase width of vehicular access (retrospective)	Granted
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Existing Use(s):

Residential

Brief Description of Development:

Planning permission was refused earlier this year to infill an existing vehicle access and relocate the access eastwards on the north boundary. The application also included removing a hedge, raising the height of an existing wall and erecting a fence to the east boundary. The reasons for refusal were based on the retention of a large granite wall immediately adjacent to the new access, and the replacement timber fence towards the entrance of Mandly Beech Estate.

A new application has been submitted which seeks to lower the boundary wall to the front and to plant a replacement hedge along the east boundary, in attempt to overcome the reasons for refusal.

The application was deferred as some concerns were raised over the combination of a granite and rendered wall along the roadside boundary. The application has been amended and the agent now seeks to reuse the existing granite to be demolished for the new section of wall which makes the corner 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:

The Authority has received two letters of representation from two parties objecting to the proposal. Grounds for objection principally relate to the following issues:-

- Materials proposed for the wall.
- Parking.
- Increased traffic on the Estate.
- Inaccuracies of drawings submitted.

Positive comments note the improve highway safety from the exit of the Estate.

The Authority has received a letter of representation objecting to the revised scheme. Grounds for objection principally relate to the following issues:-

- Materials proposed for the wall.

Consultations:

None.

Summary of Issues:

- Whether the proposed vehicle access point is acceptable and would not negatively impact on highway safety and traffic management.
- The impact of the development on the character and appearance of the area.
- The impact of the development on neighbour amenity.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

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.

Traffic:

In light of the amendments secured, the proposed centralised access will improve sightlines when compared to the existing arrangement given that the roadside wall will be reduced to 1m high. In the interests of visual appeal, it is recommended that the existing access is blocked up within a suitable timeframe.

In addition, by reducing the roadside wall, and the wall that forms the entrance of the Estate, visibility from the Estate is likely to be substantially improved.

The application is not considered to lead to any adverse highway safety or traffic management issues.

Character and appearance of the surrounding area:

The existing hedge to the side and rear of the property positively contributes to the character and appearance of the adjoining Estate road. It is now proposed to plant a replacement hedge which is supported under Policy given that the replacement boundary treatment will have, in time, a neutral effect on the character and appearance of the Estate. An appropriate landscaping condition should be applied to the decision to ensure that these works are carried out within a suitable timeframe.

The alterations to the roadside wall that forms the corner of the site will have a negligible effect on the character and appearance, and will also have a beneficial effect on visibility splays from the access point of Rose Cottage and from the Estate.

The drawings show that the existing vehicular access is to be infilled with rendered blockwork as part of the application. However, notwithstanding the information submitted, the street scene along this stretch of Collings Road is well defined and consists of granite walls along roadside boundaries. By incorporating a rendered wall in context with the application site, and with the wider area, would have a detrimental effect on the character and appearance of the surrounding area and therefore it is recommended that a condition is attached to the decision to ensure that, at least the outer face of the roadside wall is finished in granite to match the existing boundary treatment.

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

Conclusion:

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Date: 18/12/23

