

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: Alterations to gated vehicle and pedestrian accesses and parking areas to east and west of property.

LOCATION: Fleur De Lys, La Grande Rue, St. Saviour.

APPLICANT: Mr T Moss

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 20/11/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture: 2339-1 02.01A & 02A

Application Ref: FULL/2023/2224

Property Ref: E00864B000

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.

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/2023/2224
Property Ref: E00864B000
Valid date: 20/11/2023
Location: Fleur De Lys La Grande Rue St. Saviour Guernsey GY7 9PR
Proposal: Alterations to gated vehicle and pedestrian accesses and parking areas to east and west of property.

Applicant: Mr T Moss

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.

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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.

OFFICER'S REPORT

Site Description:

The property known as 'Fleur de Lys' is a 1970's detached two storey colonial-style dwelling which is set back (at a higher level) from and faces north onto Le Grande Rue. There are neighbouring detached dwellings to the east and west and across the road to the north. The property's garden is set at a higher level again to the south and beyond this are open fields. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2023/2226 – Demolish extension, erect two storey and single storey extensions and alterations to landscaping to south (rear) elevation – Pending.

FULL/2023/2233 - Erect single storey outbuilding/summer house and raised terrace area to west of site – Invalid and pending.

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

This application is to re-open the vehicular entrance and add a vehicular gate and pedestrian gate at the northwest corner of the site and add a vehicular gate to the established northeast corner entrance and some alterations to the existing parking area.

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

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

IP9: Highway Safety, Accessibility and Capacity.

Representations:

There has been one positive letter of representation and arguments for are:

- Le Figuier lies directly west of Fleur De Lys and owns the west half of the existing western driveway and have a right of way over the eastern half of this driveway adjacent to Fleur De Lys. The driveway is steep and joins the highway at a sharp angle.

- The driveways are currently separated by a row of raised white painted kerbstones and have a different profile where they join the highway. Le Figuiers half of the driveway has a semi-circular ACO gully installed to carry rainwater which creates a flatter profile to reduce the possibility of vehicles grounding at the bottom of the driveway.
- The part of the driveway next to Fleur De Lys however has a steeper profile at the bottom and most modern cars with low front bumpers would be damaged by grounding as they join or leave the highway. It is understood that it is planned to mirror the profile of my part of the driveway and remove the kerbstones to create a single uniform driveway. This should enable vehicles to easily enter both properties and avoid both grounding and damage caused by wheels accidentally hitting the existing kerb when turning.

There has been one letter of representation against the proposals and the issues are:

- In respect of the above application the Douzaine would like to comment that that this request is for a large wrought iron double gate to be installed on the roadside entrance. The property and the proposed development itself are very visible in this Conservation area.
- In our opinion this is not consistent with Policy GP4 Conservation areas where 'proposals for development within a Conservation area will be supported where the development conserves and where possible enhances the special character of the particular area.'
- Such a prominent gated entrance is not consistent with the surrounding area and would detract from the special character and should therefore be rejected.

Consultations:

None

Summary of Issues:

- Design of the development.
- 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.

Initially the western vehicular access was installed without planning permission, after a few attempts to gain planning permission with retrospective applications, permission was not gained therefore the access was blocked off.

Since the refusal and blocking off of the access the neighbouring property has had work done to widen the opening onto the road. The proposals would regrade the land to the entrance to match the neighbours, which is shallower and allows vehicles to enter and exit more safely.

The gates are to be installed to ensure an enclosed domestic curtilage for the owners dog, the gates are located into the site which allows vehicles to pull off the road and wait for the gates to open without hindering the traffic flow.

The western gates are to be solid timber gates, they will not easily be seen by passers-by and are considered appropriate for a secondary entrance. The eastern gates are the formal primary access, they will be located at 90 degrees from the road in line with the front of the property. The property has a wrought iron railing around the front façade and so the wrought iron gates are considered to suit the front façade of the dwelling. The open nature of the gates prevents the feeling of barricading and retains the open feel of the existing entrance whilst protecting the owners pets from escaping the site.

The dwelling and the neighbours either side are not within the Conservation Area, therefore do not have the same controls as they would had they be within the conservation area. However, the assessment has been made with the conservation area in mind and on balance the proposals are considered to be appropriate and are not considered to undermine the special quality of the surrounding conservation area.

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.

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.

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: 18/12/2023