

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 bunker structure and alter ground levels to north (rear) of unit B.

LOCATION: 2 Clovelly Villas, La Rue Maze, St. Martin.

APPLICANT: Mr H Gorcan

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: 10/01/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/12/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design Ltd - 23-1464 PD/05 & 06.

Application Ref: FULL/2023/2238

Property Ref: J001960000

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 09/01/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Festung Guernsey have noted that the bunker roof was constructed with pre-formed steel arches (wellblech) and in this case a standard curved section known as ""Heinrich"". They remain in good condition, and Festung have kindly asked that if during the demolition process, any can be recovered undamaged, then these could be stored for possible use at another site in future.

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/2023/2238
Property Ref: J001960000
Valid date: 04/12/2023
Location: 2 Clovelly Villas La Rue Maze St. Martin Guernsey GY4 6LW
Proposal: Demolish bunker structure and alter ground levels to north (rear) of unit B.

Applicant: Mr H Gorcan

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).

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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.

INFORMATIVES

Festung Guernsey have noted that the bunker roof was constructed with pre-formed steel arches (wellblech) and in this case a standard curved section known as ""Heinrich"". They remain in good condition, and Festung have kindly asked that if during the demolition process, any can be recovered undamaged, then these could be stored for possible use at another site in future.

OFFICER'S REPORT

Brief Description of the site:

The site is located to the north side of La Rue Maze, within the St Martin's Local Centre Boundary as defined by the Island Development Plan. The existing dwelling is a semi-detached villa which is elevated above the road, permission was granted under FULL/2023/1200 to erect 2 dwellings to the rear (north) of the site.

The rear garden is open, with existing access from the west. To the rear of the garden there is an existing WW2 concrete bunker which projects approx. 0.5m above the ground.

It is proposed that this is removed, as it takes up a significant proportion of the rear amenity space for one of the two new dwellings.

Relevant History:

FULL/2023/1200- Erect 2 dwellings to north of site with associated works, create vehicle access. Demolish extension, erect single storey extension.

Existing Use(s):

01 Dwelling houses

Consultation:

Festung Guernsey were consulted on the proposal, and commented:

The bunker is fairly typical of the reinforced field order personnel shelters that can be found at various sites all over Guernsey. While it is regrettable to lose wartime structures, in this case we can see there is merit in allowing its removal to better facilitate the new development. The wording used in the application is unfortunate and inaccurate as all German WW2 structures on Guernsey have a historic value. The bunker roof was constructed with pre-formed steel arches (wellblech) and in this case a standard curved section known as "Heinrich". They remain in good condition, and we would therefore ask that if during the demolition process any can be recovered undamaged, then these could be stored for possible use at another site in future.

Officer Note- An informative note has been added to this effect.

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:

GP8 – Design

GP9- Sustainable Development

LC2- Housing in Local Centres

Conclusion/Brief comment:

The proposed removal of the bunker is considered to constitute an engineering operation, thus requiring planning permission, due to the level of excavation required to remove the concrete structure from the land.

The proposal will facilitate an improved garden area for the recently approved dwelling, and there are no resulting harmful impacts to neighbouring amenity.

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: 09/01/2024

