

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 summerhouse, remove section of hedge and earth bank to create an additional vehicular access to south-west boundary.

LOCATION: Highlands, 6 Les Grands Jardins, Rue Cauchez, St. Martin.

APPLICANT: Mr & Mrs Cameron

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: 12/01/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 01/12/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne: AA74-10625-S1-102A & -109B.

Application Ref: FULL/2023/2345

Property Ref: J00698A006

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, boundary wall and pillars hereby approved shall be fully completed in accordance with the approved plans.

Reason - In the interests of visual amenity.

5.The stone to be used in the construction of the new boundary wall hereby approved shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone of the remaining wall along Les Varioufs.

Reason - In the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 11/01/2027 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/2023/2345
Property Ref: J00698A006
Valid date: 01/12/2023
Location: Highlands 6 Les Grands Jardins Rue Cauchez St. Martin
Guernsey GY4 6PF
Proposal: Demolish summerhouse, remove section of hedge and earth
bank to create an additional vehicular access to south-west
boundary.
Applicant: Mr & Mrs Cameron

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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OFFICER'S REPORT

Brief Description of the site:

Highlands, 6 Les Grands Jardins is a detached dwelling situated to the southwest of the clos road and with a rear garden substantially enclosed by mature landscaping and which backs onto Les Vaurioufs. The property benefits from a subservient extension to the northwest and to the rear (southwest) and off-road parking exists to the front of the property, adjacent to the northwest site boundary. The property has a rendered exterior, the main house has a tiled roof whilst the northwest extension has a slate roof.

The wall to the northwest of the boundary falls outside the applicants ownership and control but is c. 90cm high. The application drawings of the neighbouring wall do not show the high, mature hedge that sits above it.

The application relates to the removal of a section of earthbank and hedge in order to create a 3.5m wide vehicular access onto Les Vaurioufs, splayed to 5m at the road edge, with associated scalloped new granite walls to either side of the access, 90cm high along the site boundary to the southeast of the proposed access.

The site is located Outside of the Centres as designated in the Island Development Plan. Les Vaurioufs is a local circulation route.

Relevant History:

FULL/202/1994 - Erect 1.5 storey extension to south-east (side) elevation, erect porch to north-east elevation and alterations to fenestration. Remove section of hedge and earth bank to create gated pedestrian access to south-west boundary - granted

Existing Use(s):

01 Dwelling houses

Assessment: *(Tick as appropriate)*

no representation	☐	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

Island Development Plan policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

IP9: Highway Safety, Accessibility and Capacity

Representation:

One letter of representation has been submitted objecting to the application and highlighting that Les Varioufs is a busy road with multiple vehicular accesses. Concerns are expressed regarding the relationship of the access to the bend from the old Dairy, creating a blind spot for vehicles travelling towards the Carmel traffic lights. The width of Les Varioufs is also highlighted along with the size of vehicles using the road which causes holdups and the use of the lane by pedestrians. A full traffic assessment should be undertaken prior a decision being made.

Conclusion/Brief comment:

The site is not situated in a Conservation Area and although a section of the boundary wall, bank and hedge would be lost through the creation of a second vehicular access to the site (only access onto Les Vaurioufs), a large proportion will remain intact and will continue to provide an adequate boundary feature. In addition, new walls are proposed to define the vehicular access which represents a good standard of design that respects the local built environment. The scheme will not have a detrimental impact on the character of the area. This conclusion is reinforced by the preceding text to Policy IP9, which notes that, *“the Authority will balance any impact on the character of the locality concerned with affording a significant degree of flexibility so that reasonable development aspirations can be met.”*

Although the scheme appears to shows good visibility in both directions for users of the proposed access the visibility splay to the northwest of the access would be

significantly curtailed by the existing high hedge that encloses the roadside boundary of The Gables. It is acknowledged however, that there is a bend in the road to the northwest of the site and that various vehicular accesses exist along the north of Les Vaurioufs with two road junctions. To the east of the application site the road narrows and with the 'T' junction traffic lights onto Les Caches and Rue Cauchez vehicle speeds are generally low. As a result the proposal is not considered to represent a scheme that would cause unacceptable harm to highway safety or the free flow of traffic.

The access will provide occupiers of the property with greater flexibility in terms of accessing either through the clos road or Les Vaurioufs and the number of vehicle movements associated with a single dwellinghouse will not be so significant to result in unacceptable harm to the amenities of the occupiers of adjoining dwellings in terms of noise/nuisance/car lights etc.

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.

This scheme would accord with all relevant policies in the Island Development Plan and is recommended for approval.

Recommendation:

Grant with Conditions



Date: 03/01/2024

