

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 detached garage, steps, pillar and section of wall, alter ground levels to create widened vehicle access and parking area to front of property.

LOCATION: Esperance, La Ramee, St. Peter Port.

APPLICANT: Mrs S Beauvalet

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: 19/04/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 19/02/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Site location plan, block layout plan, 'Current status at front of property', 'Proposed status at front of property' (all date stamped received 5th February 2024), 'North elevation of property' (date stamped received 19th February 2024), 'Proposed cross section' (date stamped received 12th April 2024).

Application Ref: FULL/2024/0230

Property Ref: A210830000

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.The north boundary wall, between the house and the roadside, where disturbed, shall be made good in materials to match as closely as possible to the existing wall.

Reason - In the interest of visual amenity.

5.The new retaining wall(s) to the front of the dwelling shall be finished in smooth render within 2 months of construction.

Reason - In the interest of visual amenity.

Expiry Date: This permission will cease to have effect on 19/04/2027 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/2024/0230
Property Ref: A210830000
Valid date: 19/02/2024
Location: Esperance La Ramee St. Peter Port Guernsey GY1 2EN
Proposal: Demolish detached garage, steps, pillar and section of wall, alter ground levels to create widened vehicle access and parking area to front of property.

Applicant: Mrs S Beauvalet

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. The north boundary wall, between the house and the roadside, where disturbed, shall be made good in materials to match as closely as possible to the existing wall.

Reason - In the interest of visual amenity.

5. The new retaining wall(s) to the front of the dwelling shall be finished in smooth render within 2 months of construction.

Reason - In the interest of visual amenity.

OFFICER'S REPORT

Brief Description of the site:

The application site known as 'Esperance' consists of a semi-detached two storey dwelling-house which is served by a raised garden to the front of the house and a single storey garage. The property lies to the west of La Ramee and is located in a Main Centre Outer Area as designated in the Island Development Plan.

Planning permission is sought to demolish a detached garage, steps, pillar and a section of the north boundary wall, alter ground levels to create widened vehicle access and parking area to front of the property. The vehicular access will be widened to 4.2m.

The application was deferred in order to clarify the proposal. The applicant has provided further information confirming that the driveway will be level with the pavement leading up towards the house. It is also understood that the south side of the front garden wall, bordering the adjoining semi-detached property known as 'Chyebassa', will feature a retaining wall of 1700mm high, and the front (east elevation) of the house will also feature a retaining wall. The surface of the driveway will be finished in Stonebond.

Relevant History:

PREA/2023/0568	Demolish garage and resurface driveway	Pre-application enquiry
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Existing Use(s):

Residential

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:

GP1 Landscape Character and Open Land
GP8 Design
GP9 Sustainable Development
GP13 Householder Development
IP7 Private and Communal Car Parking
IP9 Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

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.

The demolition of the garage, pillar, steps, section of wall, and excavation and re-profiling of the front garden to form a parking area is supported under policy, given that the proposed vehicular access width and extension of parking provision would not have a substantial detrimental effect on the character or appearance of the locality and would be appropriate to serve the dwelling. Consequently, the proposal achieves a good standard of design for the purposes of Policy GP8.

There will be no change to visibility splays as a result of the development, although it is acknowledged that the roadside pillar and wall is likely to still impede good visibility from the access point. The proposal should enable vehicles to turn onsite and egress in forward gear.

The proposal will not affect neighbouring residents.

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.

Recommendation:

Grant with Conditions

✓

Date: 18/04/24

