

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: Alter existing vehicle access to create 2 separate vehicle accesses for Delancey View and Park View properties.

LOCATION: Delancey View & Park View, La Route Du Braye, Vale.

APPLICANT: Mr & Mrs K Smith

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: 25/06/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 28/05/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design Ltd: 09-265-P2/PD01.

Application Ref: FULL/2024/0901

Property Ref: C008880000 + C00888B000

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 accesses being brought into use, the ends of the new openings shall be finished off using materials and a method of construction which match the remainder of the wall.

Reason - To secure the satisfactory appearance of the completed development.

5. The dividing wall between the two driveways shall be constructed within eight weeks of the existing access being extended, as shown on drawing PD/01, and the dividing wall hereby permitted shall be rendered on both sides within four weeks of its construction. The wall shall thereafter be retained at all times.

Reason - To avoid an excessively wide vehicular access in the interests of visual amenity and to secure the satisfactory appearance of the completed development.

Expiry Date: This permission will cease to have effect on 25/06/2027 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/2024/0901
Property Ref: C008880000 + C00888B000
Valid date: 28/05/2024
Location: Delancey View & Park View La Route Du Braye Vale Guernsey GY3 5QL
Proposal: Alter existing vehicle access to create 2 separate vehicle accesses for Delancey View and Park View properties.
Applicant: Mr & Mrs K Smith

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. Within four weeks of the new accesses being brought into use, the ends of the new openings shall be finished off using materials and a method of construction which match the remainder of the wall.

Reason - To secure the satisfactory appearance of the completed development.

5. The dividing wall between the two driveways shall be constructed within eight weeks of the existing access being extended, as shown on drawing PD/01, and the dividing wall hereby permitted shall be rendered on both sides within four weeks of its construction. The wall shall thereafter be retained at all times.

Reason - To avoid an excessively wide vehicular access in the interests of visual amenity and to secure the satisfactory appearance of the completed development.

OFFICER'S REPORT

Brief Description of the site:

The site comprises 'Park View' and 'Delancey View' dwellings, which are set back from and face south onto La Route du Braye. The properties currently share a single access onto La Route du Braye. To the west of Delancey View is an access road leading to three properties that lie to the north of the two dwellings and to the east of Park View is a pair of semi-detached properties. There are also residential properties to the south across the road. The property is located in the St Sampson Main Centre Outer Area as defined in the Island Development Plan.

Relevant History:

A pre-application regarding a new access - The pre-application requested two openings, the existing opening to move further to the east and a new entrance at the west end of the south boundary. However, this would be adjacent to the existing turning to the properties behind and could cause highway safety issues.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

X
X
X
X

visual amenity acceptable
no material neighbour impact
traffic not affected

X
X
X

Policies considered most relevant:

GP8: Design

GP13: Householder Development

IP9: Highway Safety, Accessibility and Capacity.

Conclusion/Brief comment:

This application is to widen the existing vehicular opening from just under 4m (which is a shared opening between the two properties) to just over 8m, with a low wall in the middle denoting the two front parking areas, which would give each property its own access.

The two properties have been in the same ownership for many years, since Delancey View was built in 2009/10, so sharing the same entrance was not an issue. For each property to have its own vehicular access would allow one of the properties to be sold.

This application has taken heed of the advice given in the pre-application enquiry and has opted to enlarge the existing opening, creating two openings from one. The level of traffic entering and exiting the accesses would not increase as the openings are still catering for the same number of dwellings as before, so the possibility of highway safety issues is greatly reduced.

The front walls are low enough to provide good sightlines in each direction complying with policy IP9, the proposals are not considered to have any detrimental impacts on neighbour amenity complying with GP13 and the design allows each property its own vehicular entrance.

Although the dividing wall between the two parking areas would ordinarily be exempt it is considered necessary in order to avoid an excessively wide vehicular access and therefore it is reasonable to control its construction and retention by way of a planning condition.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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: 25/06/2024

