

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: Erect roadside wall along west boundary of Treloar. Erect roadside wall (west) and remove hedge, erect wall to east boundary of L'Ouest Rocheux.

LOCATION: Treloar & L'Ouest Rocheux, Vielle Rue, St. Saviour.

APPLICANT: Mr & Mrs A Pickering

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: 24/09/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 19/06/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DLM Architects: 1207_2A, _3 (East boundary (West facing), _4 (East boundary (East facing), _5B, 06A

Application Ref: FULL/2024/1039

Property Ref: E00983A000+E00984A000

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 works to the roadside wall hereby approved to the western and southern boundary shall be constructed in accordance with the approved plans, using materials and a method of construction which match the existing natural granite boundary wall at Treloar.

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

5. Notwithstanding the details shown on plan 1207_6A, the roadside boundary wall hereby approved shall be no more than 0.8m high for the first 2.4m adjacent to the vehicular entrance of Treloar, as shown on 1207_5B.

Reason: In the interest of securing adequate visibility splays to ensure highway safety.

6. The wall hereby permitted to the eastern boundary shall be smooth rendered on the eastern side within 2 months of construction.

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

Expiry Date: This permission will cease to have effect on 24/09/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

In view of the proximity of one of the four Mirus Battery gun emplacements, and other German works associated with this Battery, the applicant is advised that unrecorded German positions may lie within this land parcel and is requested to contact the States Archaeologist should any such structures be uncovered.

The applicant is advised that the hedge to be removed along the eastern boundary should not be removed between 1st March and 31st July in any calendar year, and shall be replaced within 8 weeks of its removal.

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/2024/1039
Property Ref: E00983A000+E00984A000
Valid date: 19/06/2024
Location: Treloar & L'Ouest Rocheux Vielle Rue St. Saviour Guernsey GY7 9NQ
Proposal: Erect roadside wall along west boundary of Treloar. Erect roadside wall (west) and remove hedge, erect wall to east boundary of L'Ouest Rocheux.
Applicant: Mr & Mrs A Pickering

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 works to the roadside wall hereby approved to the western and southern boundary shall be constructed in accordance with the approved plans, using materials and a method of construction which match the existing natural granite boundary wall at Treloar.

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

5. Notwithstanding the details shown on plan 1207_6A, the roadside boundary wall hereby approved shall be no more than 0.8m high for the first 2.4m adjacent to the vehicular entrance of Treloar, as shown on 1207_5B.

Reason: In the interest of securing adequate visibility splays to ensure highway safety.

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INFORMATIVES

In view of the proximity of one of the four Mirus Battery gun emplacements, and other German works associated with this Battery, the applicant is advised that unrecorded German positions may lie within this land parcel and is requested to contact the States Archaeologist should any such structures be uncovered.

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OFFICER'S REPORT

Brief Description of the site:

The site is located close to the junction of Vielle Rue and Rue des Cinq Verges, St Saviours, to the west of the main reservoir.

The dwelling at Treloar is currently under construction following the demolition of the former bungalow and implementation of the replacement contemporary, two storey dwelling under FULL/2023/0079. The site also includes the neighbouring dwelling L'Ouest Rocheux, which currently has an application for the replacement of the dwelling under consideration (FULL/2024/1415)

The proposal is to erect a roadside wall along the western boundary of the two properties. The proposal also includes the removal of the hedge and erection of a wall to the east boundary of L'Ouest Rocheux.

Relevant History:

FULL/2023/0079- Demolish dwelling, erect replacement dwelling, infill existing and relocate vehicle access with associated landscaping and parking.

FULL/2024/1415- Demolish existing dwelling, erect replacement dwelling with associated works, infill existing vehicle access and relocate vehicle access to south boundary.

Existing Use(s):

01 Residential dwelling

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

GP8 – Design

GP9 – Sustainable Development

GP13- Householder Development

Conclusion/Brief comment:

The proposal is acceptable under Policy GP13 in principle as it represents domestic alterations to a single dwellinghouse, and such works are supported where there are no significant adverse effects on the amenities of neighbours; and, the design, scale, mass and form would not detract from the open character of open locations; and, they do not adversely affect the special interest of a Conservation Area or Area of Biodiversity Importance or protected building/monument.

The installation of the wall to the western boundary and around the south of L'Ouest Rocheux is acceptable. The proposed wall is granite and a condition can be used to ensure that an appropriate finish/construction is achieved and will match the previously approved wall at Treloar. The application was deferred due to officer concerns regarding the proposed 1.8m height of the wall, the impact on the rural character of the area and the implications on the visibility of the approved access. This has been revised and the wall is now proposed at 1.2m in height, the pedestrian access has been removed and the wall tapers down to 800mm adjacent to the vehicular access for Treloar (as controlled by Condition 5). The revised plans are therefore acceptable in terms of visual impact/character and highway safety.

The proposal also includes the removal of hedging to the east of L'Ouest Rocheux, replacing it with the non-native *Euonymus Japonica*. Hedging to the boundary between the application site and La Flaquaie is also to be removed, and replaced

with a 1.8m high wall with granite to the west side and render to the east facing side. In this location and forming an internal boundary with a neighbour, this height is considered acceptable, and a condition will ensure that the wall is rendered and completed as proposed. An informative note will also be used to remind the applicants to complete the removal of the hedge outside bird nesting season.

An informative note has been added, requesting that the States Archaeologist is contacted if any German positions are discovered, due to the proximity of the site to the Mirus Battery.

For the reasons above the proposal is acceptable in terms of GP1, GP8 and GP13, and approval is recommended. 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.

Recommendation:

Grant with Conditions



Date: 24/09/2023

