

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: Remove garage door and install window, remove section of wall, gate and hedge to create additional vehicle access and parking area to south of property.

LOCATION: 2 Les Rouvets De Bas, Perelle Road, St. Saviour.

APPLICANT: Mrs A Van Heerden

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: 31/12/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 27/08/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd - 6474/A/2

Application Ref: FULL/2024/1473

Property Ref: E01112A002

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.Before the car parking space is ready to be used the front boundary hedge must be either cut back to a height of 0.9m high or removed entirely and replaced with a smaller slower growing species which will remain at a height of 0.9m high.

Reason - To ensure there are appropriate sightlines for any cars entering and exiting the new parking space at any time.

5.Within four weeks of the new access being brought into use, the end of the new opening 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.

Expiry Date: This permission will cease to have effect on 31/12/2027 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/2024/1473
Property Ref: E01112A002
Valid date: 27/08/2024
Location: 2 Les Rouvets De Bas Perelle Road St. Saviour Guernsey
GY7 9QE
Proposal: Remove garage door and install window, remove section of wall, gate and hedge to create additional vehicle access and parking area to south of property.
Applicant: Mrs A Van Heerden

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. Before the car parking space is ready to be used the front boundary hedge must be either cut back to a height of 0.9m high or removed entirely and replaced with a smaller slower growing species which will remain at a height of 0.9m high.

Reason - To ensure there are appropriate sightlines for any cars entering and exiting the new parking space at any time.

5. Within four weeks of the new access being brought into use, the end of the new opening 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.

OFFICER'S REPORT

Brief Description of the site:

The property known as '2 Les Rouvets de Bas' is a one and a half storey granite fronted early 21st century dwelling which is one of twelve properties around the estate road Les Rouvets de Bas. The property is set back from and faces east onto Rue Perelle, Les Rouvets de Bas runs along the south elevation, and there are neighbouring properties to the north, west and across the roads to the west and south. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

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

GP13: Householder Development

IP9: Highway Safety, Accessibility and Capacity.

Consultations:

Traffic and Highways Services 30/12/2024.

'Given that this one is within the private estate and not the public highway, it's not one that we would consider against the various policies relating to the road hierarchy, etc.

Therefore, I've assessed this against the engineering standards that we would normally apply.

I am satisfied that the sightlines for a vehicle egressing would enable vehicles oncoming (from within the clos) to be easily seen by the driver egressing. Similarly the driver of a vehicle turning into the clos would have a clear view of the egressing vehicle whether they had approached from the Grande Rue end or the coast.

Although the engineering guidelines (if this application were relating to an access onto a public road), would dictate that we would not support the application on the basis that the new access will be within 20m of a junction, I consider that pragmatically, the number of traffic movements associated with residential traffic relating to the clos is very low, and therefore, I would not object to the application.'

Conclusion/Brief comment:

This application is to remove the garage door and replace with a window to add an additional bedroom and a utility room, and to remove a section of roadside wall, a pedestrian gate and a hedge and add an additional parking space at the front of the property.

Removing the garage door, partially blocking up and adding a window is considered appropriate and acceptable.

Adding an additional parking space at the front of the property so close to the estate access junction with the main road was cause for some concern. Traffic and Highways Services (THS) were consulted, see above, to see if there were any road traffic safety concerns. However, due to there being good sight lines in both directions (once the hedge is trimmed down or removed), and the access road has less traffic movements than Rue Perelle, THS have stated that they would not object to the new parking space.

To enable the correct sight lines the whole of the front hedge should be either trimmed down to 900mm high or removed altogether and a lower hedge (smaller species) hedge replanted, both options would not require further planning approval.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

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: 30/12/2024

