

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 pillars and install gates to vehicle accesses to west boundary and north-east boundary.

LOCATION: Martello House, 56 Princes Close, Fort George, St. Peter Port.

APPLICANT: Mr A & Mrs V Pyatt

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: 06/12/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/10/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: StackHouse Design Ltd - 21-05-03 D

Application Ref: FULL/2024/1673

Property Ref: A41110A056

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.

Expiry Date: This permission will cease to have effect on 06/12/2027 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/2024/1673
Property Ref: A41110A056
Valid date: 11/10/2024
Location: Martello House 56 Princes Close Fort George Fort George
St. Peter Port Guernsey GY1 2SU
Proposal: Erect pillars and install gates to vehicle accesses to west
boundary and north-east boundary.

Applicant: Mr A & Mrs V Pyatt

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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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.

OFFICER'S REPORT

Site Description:

The site comprises a residential property located on the Fort George Estate. The site is triangular in shape and prominently located, with roads bounding the site on all sides except the south. Rue Adolphus splits from Rue Vautier at the northern tip of the site to run along the east boundary, at a lower level than the site and is divided from the site by a bank and hedging to the north and a high granite retaining wall to the south. Rue Vautier continues along the west boundary, at a level with the site, to the junction with Hautes Falaises and Princes Close adjacent to the site access.

The site is surrounded by residential properties across the roads in all directions, and bounds a residential property to the south.

The former dwelling at the site has now been replaced in accordance with permission granted under FULL/2021/0242. The property has an access and parking from Rue Vautier to the west and a further access to the east.

The site is located Outside of the Centres in the Island Development Plan.

Relevant History:

23/06/2023 FULL/2021/0242 Permit to demolish existing and erect replacement dwelling.

18/08/2023 FULL/2023/0597 Permit for variation to previously approved plans to demolish existing and erect replacement dwelling - increase floor area at lower ground floor/basement level, alter terrace at ground floor and material and fenestration alterations (part-retrospective).

18/10/2024 FULL/2023/2239 Permit to install air source heat pumps and air conditioning unit to north (side) elevation (Revised Scheme).

Existing Use(s):

Residential Use Class 1

Brief Description of Development:

Permission is sought under this application to erect pillars and install gates to vehicle accesses to west boundary and north-east boundary.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

GP8 Design
GP13 Householder Development
IP9 Highway Safety, Accessibility and Capacity

Representations:

One letter has been received in respect of this application. The letter does not object to the proposed installation of gates, provided that those gates are installed on land within the ownership of the applicant (namely 8ft back from the roadside at the Rue Vautier entrance). The letter notes that the hedging which has been undertaken on part of the west boundary, the north and east boundaries of the site is not in accordance with the previously approved plans and parts of it appear to be on land outside of the ownership of the applicant.

Consultations:

None undertaken.

Summary of Issues:

Impact on the character of the area.
Impact on road safety.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

The proposed gates would not have any adverse impacts on the character of the area, neighbour amenity or road safety. The gates are shown to be positioned 2.8m back from the roadside at the closest point, and would therefore be located on land owned by the applicant.

The positioning of the boundary hedging raised in the letter of representation does not impact on the acceptability of the current application, however this matter will be referred to the Enforcement team for separate review.

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. The proposal accords with the purpose of the Law, material considerations and relevant planning policies and approval is recommended.

Date: 04/12/2024

