

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 and alter roadside wall to widen vehicle access.

LOCATION: Kia Kaha, York Avenue, St. Peter Port.

APPLICANT: Mr & Mrs Sanders

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: 12/11/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/10/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners Ltd. - 10823 AB22 LOA ZZ D A 0101, 0111.

Application Ref: FULL/2025/1603

Property Ref: A310270000

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 stone to be used in the construction of the replacement section of wall, as hereby approved, shall match as closely as possible the type, colour, texture, method of bonding and pointing of the remainder of the boundary wall.

Reason - To secure the satisfactory appearance of the completed development in the interests of visual amenity and to conserve and enhance the character of the surrounding Conservation Area.

Expiry Date: This permission will cease to have effect on 11/11/2028 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/2025/1603
Property Ref: A310270000
Valid date: 09/10/2025
Location: Kia Kaha York Avenue York Avenue St. Peter Port Guernsey
GY1 1QN
Proposal: Demolish and alter roadside wall to widen vehicle access.

Applicant: Mr & Mrs Sanders

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 stone to be used in the construction of the replacement section of wall, as hereby approved, shall match as closely as possible the type, colour, texture, method of bonding and pointing of the remainder of the boundary wall.

Reason - To secure the satisfactory appearance of the completed development in the interests of visual amenity and to conserve and enhance the character of the surrounding Conservation Area.

OFFICER'S REPORT

Brief Description of the site:

The site is situated at the junction of York Avenue and St Stephens Lane, and the existing access is located on St Stephens Lane but close to the junction. A 3.5m high granite wall forms the boundary to the north east of the site and the surrounding area is predominantly residential and is included with the St Peter Port Conservation Area.

The site is situated in the Main Centre Outer Area as designated in the Island Development Plan.

Relevant History:

None

Existing Use(s):

01 Dwelling houses

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:

GP4 Conservation Areas

GP8 Design

GP9 Sustainable Development

GP13 Householder Development

IP9 Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

In considering proposals for the creation of or enhancements to existing vehicle access, Policy IP9 requires the Authority to seek to ensure, wherever possible, that they do not result in adverse impacts on the landscape character or distinctive natural or built features that contribute positively to the character of the wider area. Furthermore, the site is within a Conservation Area and it is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting Conservation Areas, to secure so far as possible that the special historic, architectural, traditional or other special characteristics are preserved. This is reflected in Policy GP4 which supports development that conserves, and where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area.

Policy GP8 indicates, inter alia, that new development will be supported where it is demonstrated that it has been designed to a good standard of architectural design and it respects the character of the local built environment.

The existing access is a 2.5m wide opening in the existing granite wall which encloses the entire site frontage and is approx. 3.5m high to the north-east elevation. This wall is considered to contribute to the character of the area and Conservation Area. The proposal is to enlarge the access to approx. 4.5m in width and scallop the wall down for 3m, to 0.9m in height to allow for improved visibility splays along St Stephens Lane.

Although the loss of a small section of wall is regrettable, a large proportion will remain intact and will continue to provide a boundary feature. The proposal would result in a structure which is of equal value which conserves the character, interest and appearance of the Conservation Area which means that Policy GP4 is met, along with GP8.

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.

In view of the above it is recommended that planning permission is granted for the proposed development subject to conditions to ensure that the replacement section of wall is finished to match the remainder of the wall.

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: 11/11/2025

