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 boundary wall, infill existing pedestrian accesses and widen vehicle access, alterations to parking area, landscaping, erect 3 cycle stores and associated works.

LOCATION: Karma Flats 1, 2 & 3, Route Des Coutures, Vale.

APPLICANT: Shire Limited

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: 03/08/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/06/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Architecture Limited - 25-1606-P2 PD/01A & 02A

Application Ref: FULL/2026/0859

Property Ref: C007330000

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 1 month of the commencement of works, a landscaping scheme noting the species, sizes, numbers and densities of plants shall be submitted to and agreed in writing by the Authority.

Reason - In the interests of visual amenity.

5. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition 4, in the first planting season following the first use of the parking area or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - In the interests of visual amenity.

6. Within 1 month of the commencement of works, details to demonstrate that the cycle stores are accessible for cycles or a revised design for the cycle stores shall be submitted to and agreed in writing by the Authority. The approved cycle stores shall then be installed and made available for use prior to the first use of the car parking area or completion of development whichever is the sooner.

Reason - To encourage the use of bicycles as an alternative to the car.

7. Within four weeks of the extended access being brought into use, the end of the extended opening shall be finished off with a pillar as per drawing 25-1606-P2/PD/02A and the pedestrian access shall be infilled using materials and a method of construction which match the remainder of the existing east boundary wall.

Reason - In the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 02/08/2029 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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2026/0859
Property Ref:	C007330000
Valid date:	09/06/2026
Location:	Karma Flats 1, 2 & 3 Route Des Coutures Vale Guernsey GY3 5QT
Proposal:	Alter boundary wall, infill existing pedestrian accesses and widen vehicle access, alterations to parking area, landscaping, erect 3 cycle stores and associated works.
Applicant:	Shire Limited

RECOMMENDATION - Grant: Planning Permission with Conditions:

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Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

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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.

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Reason - In the interests of visual amenity.

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OFFICER'S REPORT

<u>Site Description</u>:

The site comprises of a traditional detached 2½ storey building fronting onto Route des Coutures. The building has been converted into 3 flats. The site is located in a Main Centre Outer Area. The adjoining properties to the north and south are protected buildings.

Relevant History:

22/07/2026 - FULL/2026/0908 – Permission granted to demolish extension to north elevation, erect single storey extension to west (rear) elevation and alterations to fenestration at ground floor level (Retrospective).

Existing Use(s):

Residential use class 2: flats

Brief Description of Development:

Planning permission is requested to alter roadside (east) boundary wall, including infill existing pedestrian access and widen vehicle access by 0.7m to 4.5m, demolish wall to create parking area within frontage of building, erect 3 cycle stores and erect fencing.

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

GP5: Protected Buildings
GP8: Design
GP9: Sustainable development
GP13: Householder development
IP6: Transport infrastructure and support facilities
IP7: Private and Communal Car Parking
IP9: Highway Safety, Accessibility and Capacity

Representations:

One objection from neighbouring property to the south, main points as follows:

- Placement of boundary fence and siting of visitor parking directly outside of neighbour's ground floor bedroom window will result in loss of daylight and sunlight.
- Impact on neighbouring amenity due to noise and disturbance from siting of visitor parking directly outside of neighbour's ground floor bedroom window.
- Siting of fence and infrastructure against neighbour's wall will restrict access for maintenance to a protected building.
- No permission is given to attach and connect any structures to the party wall.
- Concerns raised about the structural integrity of the party wall due to the placement of structures against the wall.
- Proposal represents an overdevelopment of the site.

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. Design and impact of the development on the character and appearance of the area.
2. The impact of the development on the amenity of people living in the area.
3. Parking and access.

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).

Vehicles parked within the frontage of the property will have an adverse effect on the character and appearance of the area. However, parking within frontages is not uncommon in the area, albeit parking within frontages is limited along this section of the highway. In addition, the proposed planting has the potential to reduce/soften the visual impact, details of planting can be requested by condition. The site is not within a Conservation Area and the parking area would not cause sufficient harm to the appearance of the surroundings and the character and amenity of the locality to outweigh the support and flexibility for alterations to existing residential buildings as set out in Policy GP13.

The Authority has a duty under Section 34 of the Land Planning and Development (Guernsey) Law, 2005, to secure so far as possible that the special interest of a protected building is preserved, and with respect to a protected building or any other building or land in the vicinity of a protected building, to pay special attention to the desirability of preserving the protected building's special characteristics and setting.

Due to the distance to and relationship with the adjoining protected building to the north, and the existing frontage of the protected building to the south, the proposal is unlikely to have any adverse effects on the setting of nearby protected buildings.

The modest widening of the existing access and the infilling of the pedestrian access with a wall to match the existing would achieve a satisfactory standard of design, it would retain sufficient enclosure along the street and it would have no significant adverse effects on the character and visual amenity of the area.

The fencing constitutes exempt development and does not require planning permission. The cycle stores are located towards the rear of the building and would not form prominent features from the highway and would have no adverse effects on the character and visual amenity of the area. The proposal does not conflict with Policies GP5, GP8 and GP13.

There is a neighbouring window in the south boundary wall which faces onto the application site. A representation has raised concerns about the placement of the fence and the siting of visitor parking outside of this window and the resultant loss of daylight and sunlight and noise and disturbance. However, the proposed fencing constitutes exempt development and does not require planning permission. In addition, the siting of the neighbouring window in itself is unneighbourly for the application site. At present there are no restrictions in place which would prevent vehicles parking in front of this window, albeit it would block access to a parking area to the rear.

Whilst the parking of vehicles as proposed has the potential to cause a degree of noise and disturbance for neighbouring residents, considering the existing fallback position in terms of the potential parking of vehicles and other exempt development that could be carried out, the proposal is unlikely to have an additional material adverse effect on the amenities of neighbouring residents.

The overall size of the parking area and driveway is reduced in comparison to the existing and it provides adequate car parking for the size and number of units that they would serve. Bicycle parking is provided for each unit although there are concerns about whether the storage units are accessible for cycles considering the size of the sheds and the positioning and size of the doors, further or revised details can be requested by condition. The proposal will enable vehicles to turn around on site and is unlikely to have any significant adverse effects on road safety and traffic management. The proposal accords with Policies IP6, IP7, IP9 and the adopted Parking Standards.

The concerns raised regarding the development restricting access for maintenance of the neighbouring property, the structural integrity of the party wall and no permission being given to attach or connect any structures to the party wall are not material planning considerations in this case. All decisions made by the Authority are without prejudice to third party rights, and the Authority is not able to address civil matters such as boundary, third party disputes or other related matters of ownership. Where necessary such cases should be resolved by seeking legal advice.

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.

It is recommended that the application is approved.

Date: 31/07/2026