

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 a fence and gate to front of dwelling (retrospective).

LOCATION: Jera, Clos Des Cottés, Route De La Pássee, St. Sampson.

APPLICANT: Miss J Richards

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: 07/10/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 27/08/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Application Block Layout Plan, Annotated Chateaux Estate Agency aerial photograph and Annotated photograph

Application Ref: FULL/2021/1432

Property Ref: B018460008

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.

Expiry Date: This permission will cease to have effect on 06/10/2024 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/2021/1432
Property Ref: B018460008
Valid date: 27/08/2021
Location: Jera Clos Des Cottres Route De La Psee St. Sampson Guernsey
GY2 4TR
Proposal: Erect a fence and gate to front of dwelling (retrospective).
Applicant: Miss J Richards

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.

OFFICER'S REPORT

Brief Description:

The application relates to the erection of a fence and gate to the front of Jera, Clos Des Cottres.

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

Relevant History:

None.

Existing Use(s):

01 Dwelling houses

Assessment: *(Tick as appropriate)*

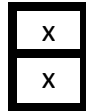
no representation
accords with policy

x
x

visual amenity acceptable
no material neighbour impact

x
x

within curtilage
design acceptable



traffic not affected



Policies considered most relevant:

GP8: Design

GP13: Householder development

Representation:

One letter of representation has been received objecting to the application and setting out that the height of the fence and gate is too high for the frontage of the house. Due to the slope of the land although the gate is 4ft 5 inches high the posts either side of the gate are 5ft 5 inches high as is the first fence panel running back to the house.

Conclusion/Brief comment:

The proposed fence to the side/south of Jera and the gate to the front are to provide an element of privacy to the front door of the property. The Clos is characterised by gardens enclosed by hedges or fences and there are other high fences visible within the Clos.

The property is situated in the southern part of the clos, a replacement hedge has been planted along the west boundary of the frontage at Jera and estate planting exists to the front of the property further reducing the impact of the development on the character and appearance of the locality.

The proposed fence and gate will not result in harm to the amenities enjoyed by the occupiers of surrounding dwellings and does not appear out of keeping with the character of the Clos.

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 application is acceptable in relation to the above policies and other material planning considerations. In view of the above, it is recommended planning permission is granted for the proposed development.

Recommendation:

Grant with Conditions



Date: 05 October 2021

