

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 hedge to rear of property and to front of property along south boundary and replace with fence (Retrospective).

LOCATION: Lobos House, Mont Arrive, St. Peter Port.

APPLICANT: Ms A Fernandes

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 06/09/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: 1021-02 B1

Application Ref: FULL/2021/1738

Property Ref: A10365A000

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/2021/1738
Property Ref: A10365A000
Valid date: 06/09/2021
Location: Lobos House Mont Arrive St. Peter Port Guernsey GY1 2AQ
Proposal: Remove hedge to rear of property and to front of property along south boundary and replace with fence (Retrospective).
Applicant: Ms A Fernandes

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 of the site:

Retrospective planning permission is requested to remove hedges to the rear of the property and to the front of the property along the south boundary and to install replacement timber fences.

The site consists of a semi-detached dwelling to the east of Mont Arrive. The site is in a Main Centre Outer Area.

Relevant History:

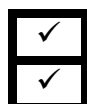
None

Existing Use(s):

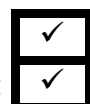
Residential use class 1

Assessment: *(Tick as appropriate)*

no representation
accords with policy

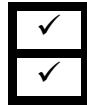


visual amenity acceptable
no material neighbour impact



within curtilage

design acceptable



traffic not affected



Policies considered most relevant:

Policy GP8: Design

Policy GP13: Householder Development

Conclusion/Brief comment:

The loss of all soft landscaped boundaries is somewhat unfortunate. However, the majority of the replacement fencing is located to the rear of the dwelling where it does not form a prominent feature from public view. The section of fencing in front of the dwelling along the south boundary is visible from the public highway but it does not project above the height of the roadside wall and has a limited visual impact. As a result, the replacement fencing would have no significant adverse effects on the character and visual amenity of the area. The proposal accords with Policy GP8.

The fences provide an appropriate boundary between the site and neighbouring properties and the proposal is unlikely to have any adverse effects on the amenities of neighbouring residents.

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.

It is recommended that the application is approved.

Recommendation:

Grant with Conditions



Date: 06/10/2021

