

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 shed to rear of property and fencing to front and side of dwelling (retrospective).

LOCATION: Roquefort, Stanley Road, St. Peter Port.

APPLICANT: Ms M Diamond

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: 25/02/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 28/09/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Appendix 2 - Block Layout Plan date stamped 3rd February 2022
Appendix 2 - Shed details date stamped 28th September 2021

Application Ref: FULL/2021/1816

Property Ref: A31028G000

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. Notwithstanding the submitted details, the east elevation boundary fencing shall be reduced in height to a maximum height of 1.38m, for a distance of 7m back from the roadside boundary, within 28 days of the date of this decision.

Reason - To ensure that the finished appearance of the development is acceptable in respect to the street scene and the Conservation Area in accordance with the requirements of Policies GP4 and GP8 of the Island Development Plan.

Expiry Date: This permission will cease to have effect on 24/02/2025 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/2021/1816
Property Ref: A31028G000
Valid date: 28/09/2021
Location: Roquefort Stanley Road St. Peter Port Guernsey GY1 1QW
Proposal: Erect shed to rear of property and fencing to front and side of dwelling (retrospective).
Applicant: Ms M Diamond

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. Notwithstanding the submitted details, the east elevation boundary fencing shall be reduced in height to a maximum height of 1.38m, for a distance of 7m back from the roadside boundary, within 28 days of the date of this decision.

Reason - To ensure that the finished appearance of the development is acceptable in respect to the street scene and the Conservation Area in accordance with the requirements of Policies GP4 and GP8 of the Island Development Plan.

OFFICER'S REPORT

Brief Description of the site:

The application site, known as Roquefort, comprises a detached, 1.5 storey dwelling, with a 2 bay garage to the front, located to the north of Stanley Road. The property is located in a Main Centre Outer Area as defined in the Island Development Plan.

The topography of the site rises considerably from the entrance of the site, to the façade of the property, served by a set of stairs. An elevated front garden serves the property.

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
GP13 Householder Development

Conclusion/Brief comment:

Retrospective permission is sought to erect a replacement composite plastic fence to the front and side of the dwelling, set above a raised front garden. The fence erected has created an enclosed space to the front of the dwelling. The proposal also includes a composite plastic shed to the rear.

The application was deferred to seek the reduction in height of the fencing to the east and west boundaries. Whilst revised plans have been received showing the reduced height of the west boundary fence, the applicants indicate that they wish the east boundary fence to be retained at a height of 1.85m to align with the neighbouring fencing in this location.

Whilst consideration has been given to the request of the applicants, given that the adjacent fence is timber in construction and as such has a limited 'life span' compared to composite plastic fencing, its replacement would require planning permission and at 1.85m high would be unlikely to be acceptable in this location.

Furthermore the height of the fencing is evident within this location and juts above the other perimeter panels in situ making it more visually prominent within the street scene. The height of the east boundary fencing at 1.85m is therefore not

acceptable and will be indicated as such on the plans and through planning conditions.

The remaining fencing although of a composite material is considered acceptable in this location and although the site is within a Conservation Area where IDP Policy GP4 Conservation Areas applies, the use of composite plastic, although not a common material in this location would not have a significant negative impact on the character and appearance of the Conservation Area.

The house is sited on the north side of Stanley Road and the houses on this side of the road are of a different style, architectural composition and appearance to those to the south. The raised position of the houses to the north above road level and the inclusion of raised hard surfaced areas are a prominent feature of those dwellings to the north.

Given the characteristics of the property when balanced against Policy GP8 and GP13 and the material planning considerations as specified in Part IV, Section 13 of the Land Planning and Development (General Provisions) Ordinance 2007, it is considered in this instance that the development is acceptable, subject to the conditions specified.

The shed to the rear of the property is also acceptable.

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.

Recommendation:

Grant with Conditions



Date: 23 February 2022

