

**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 and provide replacement hedge, erect fence to south-west boundary.

**LOCATION:** October House, 12 Meadow Drive, Ruelle Du Villocq, Castel.

**APPLICANT:** Mr S Drake & Ms S Gill

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:** 03/02/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/01/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Application Block Layout Plan and images of the Wooden Hit and Miss Horizontal Boarded Fence Panels and Gate

**Application Ref:** FULL/2021/2676

**Property Ref:** D01677A012

**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.Prior to the commencement of any work in connection therewith a landscaping scheme, to include full details of hedge planting, incorporating a planting schedule, noting the species, sizes, numbers and densities of plants shall be submitted to and agreed in writing by the Authority. trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - The application does not include details regarding the replacement hedge and these details are necessary to ensure that appropriate replacement hedge planting is provided.

5.The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development 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 - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

6.The fence hereby approved shall be constructed along the southwest boundary, in accordance with the approved plans, within one month of the existing hedge being removed.

Reason - To preserve the privacy of the occupiers of the adjoining dwelling.

**Expiry Date: This permission will cease to have effect on 02/02/2025 unless development is commenced by that date.**

**ADVICE AND OTHER REMARKS:-**

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The hedge may be used by nesting birds or other wildlife. You are requested to remove the hedge outside of the bird breeding season (March-July inclusive). If removal of the hedge during the breeding season is considered essential, it is recommended that you contact La Societe Guernesiaise so that the site can be inspected prior to removal to ensure that any protected species present are not impacted by the works. La Société can be contacted on 07781 166924 or email [societe@cwgsy.net](mailto:societe@cwgsy.net).

**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](http://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](mailto: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/2021/2676  
**Property Ref:** D01677A012  
**Valid date:** 10/01/2022  
**Location:** October House 12 Meadow Drive Ruelle Du Villocq Castel  
Guernsey GY5 7SJ  
**Proposal:** Remove and provide replacement hedge, erect fence to south-west boundary.  
**Applicant:** Mr S Drake & Ms S Gill

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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2. The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

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## **INFORMATIVES**

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## OFFICER'S REPORT

### Brief Description:

The application relates to the removal of a hedge to the southwest, northwest and part of the northeast boundary at October House, 12 Meadow Drive. A replacement hedge is proposed to the front of the dwelling and a new 1.8m high fence and gate proposed to the side/west of the property. Although reference is made to additional hardstanding to the front/north of the dwelling this represents exempt development not requiring the specific grant of planning permission.

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

### Relevant History:

None.

### Existing Use(s):

01 dwellinghouse

### Assessment: *(Tick as appropriate)*

|                     |                                     |                              |                                     |
|---------------------|-------------------------------------|------------------------------|-------------------------------------|
| no representation   | <input checked="" type="checkbox"/> | visual amenity acceptable    | <input checked="" type="checkbox"/> |
| accords with policy | <input checked="" type="checkbox"/> | no material neighbour impact | <input checked="" type="checkbox"/> |
| within curtilage    | <input checked="" type="checkbox"/> | traffic not affected         | <input checked="" type="checkbox"/> |
| design acceptable   | <input checked="" type="checkbox"/> |                              |                                     |

### Policies considered most relevant:

GP8 – Design  
GP9 – Sustainable Development  
GP13 – Householder Development

### Conclusion/Brief comment:

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.

**Recommendation:**  
Grant with Conditions



**Date:** 03 February 2022