

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 and erect fence to north boundary (retrospective) and erect sheds (Protected Building).

LOCATION: La Croute, Route Des Rouvets, St. Saviour.

APPLICANT: Mr & Mrs M Holliday

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: 11/04/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 01/03/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Application Block Layout Plan, Potting Shed Image, Tool Shed (Handy Store) Image and 2 x photographs of new fence

Application Ref: FULL/2022/0256

Property Ref: E008860000

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.

Expiry Date: This permission will cease to have effect on 10/04/2025 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/2022/0256
Property Ref: E008860000
Valid date: 01/03/2022
Location: La Croute Route Des Rouvets St. Saviour Guernsey GY7 9PT
Proposal: Remove hedge and erect fence to north boundary
(retrospective) and erect sheds (Protected Building).

Applicant: Mr & Mrs M Holliday

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).

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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.

OFFICER'S REPORT

Brief Description of the site:

La Croute is a detached cottage situated on the corner of Route Des Rouvets and Rue Perelle. Vehicular access is via Route des Rouvets and a wall and hedge marks the roadside boundary. The north boundary with residential properties is marked by a new timber fence which is visible from the adjoining property, 3 Haute Mare and Rue Perelle. A pitched roof, granite outbuilding is situated in the northwest corner of the site.

The application relates to the removal of a hedge to the north boundary and its replacement with a timber fence. This aspect of the development is retrospective as the work has been carried out. The scheme also relates to the erection of a tool shed (6' x 4') and potting shed (10' x 6') to the east of the dwelling and north of the hedge and gate that separate the parking area from the rear garden.

As originally submitted the application drawings did not accurately show the position of the proposed sheds nor their height. The application was therefore deferred in order to seek this further information to enable a full assessment of the proposals to be carried out and revised details submitted on 04 April 2022.

The site is located Outside of the Centres and within a Conservation Area as designated in the Island Development Plan. The dwelling is a Protected Building.

Relevant History:

None.

Existing Use(s):

01 dwellinghouse

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

x
x
x
x

visual amenity acceptable
no material neighbour impact
traffic not affected

x
x
X

Policies considered most relevant:

Island Development Plan policies:

GP4: Conservation Areas

GP5: Protected Buildings
GP8: Design
GP13: Householder Development

Conclusion/Brief comment:

The fence and proposed sheds would be situated in the garden of the Protected Building and would not result in unacceptable harm to the setting of the Protected Building. They would be situated away from the building, would be easily reversible if no longer required and represent the reasonable aspirations of the property owner.

Although the fence and sheds would be visible from outside the site they would be viewed in the context of existing buildings and domestic development. The sheds are limited in height, just over 2m, and they would also be screened by the existing roadside hedges that exist on the site. Whilst it is acknowledged that the height of the hedge cannot be controlled by the Planning Service the proposed development would not have an unacceptable detrimental impact on the character and appearance of the locality and the scheme meets the aims of Policies GP4, GP8 and GP13 of the IDP.

It is noted that a hedge is proposed inside the newly installed fence. This would enhance the appearance of this aspect of the development but is not considered necessary for the scheme to be supported therefore it is not necessary to impose a condition relating to the provision of the new hedge plants.

The proposals will not have an adverse impact on residential amenity with regard to overlooking or overshadowing.

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.

In view of the above it is recommended planning permission is granted for the proposed development.

Recommendation:

Grant with Conditions



Date: 11 April 2022