

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 fence to west boundary.

LOCATION: Sur le Coin, Rue Du Closel, Vale.

APPLICANT: Mr N Simon

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: 24/06/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 19/04/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block plan (dated 02/03/22) and brochure pages (dated 19/04/22)

Application Ref: FULL/2022/0544

Property Ref: C016300000

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. The first (northern most) fence panel which is located closest to the highway shall not exceed a height of 1.2m above ground level.

Reason - In the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 23/06/2025 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/2022/0544
Property Ref: C016300000
Valid date: 19/04/2022
Location: Sur le Coin Rue Du Closel Vale Guernsey GY3 5AW
Proposal: Erect fence to west boundary.
Applicant: Mr N Simon

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.

4. The first (northern most) fence panel which is located closest to the highway shall not exceed a height of 1.2m above ground level.

Reason - In the interests of visual amenity.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Sur le Coin' is a 1970's bungalow, which is set back from the road, faces northeast. Rue du Closel wraps around the property from the northwest corner right around to the southeast corner, the boundary of which is a low dry stone granite wall. The property only has a small amount of private amenity space in the southwest corner to the rear of the property. There are immediate neighbours to the south and southwest and across the road to the east and north. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

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:

GP8: Design

GP13: Householder Development

Conclusion/Brief comment:

This application is to erect a 1.8m hit and miss fence along one section of the west boundary and between the west corner of the house and the boundary. The closest fence panel to the road will drop in height to 1.2m. The reason for the fencing is to give the property a little more privacy from passers-by, who can look straight into the dwellings private amenity space which is at the rear of the property.

The majority of the property's garden is at the front and is laid to neat and tidy lawn with a low dry stone granite wall and some planting around the boundary, the site is very open and public. The property has a small amount of private space to the rear, but at present it can still be viewed from the road.

The proposed fence would be adjacent to the neighbour's boundary, which comprises greenhouse, shed, oil tank and block wall, all around 1.8m – 2m in height. The west boundary fence would reach to the roadside where it joins the roadside boundaries, of which there is the low dry-stone wall belonging to the property and the neighbouring boundary which comprises an 800mm ivy covered earthbank/dry stone wall with a tall conifer hedge above.

In this instance, due the adjacent boundary treatments, the height of the new fence will not affect the appearance and character of the area, nor will it impact on any neighbour amenity.

Due to the nature and type of development, it is not considered necessary for the applicant to demonstrate that the proposal has been designed to take into account the criteria of Policy GP9 (Sustainable Development).

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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: 24/06/2022