

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, remove hedge and install fence to west of property and erect bike shed to south boundary (retrospective).

LOCATION: Les Houmets, La Hougue Du Pommier, Castel.

APPLICANT: Ms L A Loft

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: 25/07/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 26/05/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Annotated block plan (21/04/2022) and photos (26/05/2022).

Application Ref: FULL/2022/0967

Property Ref: D01735A000

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 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.

3.The front/south boundary hedge must be retained at a height equal to or taller than the bike shed hereby approved for the lifetime of the bike shed, unless otherwise agreed in writing by the Authority.

Reason - To ensure that the development is screened by the hedge in years to come.

Expiry Date: This permission will cease to have effect on 24/07/2025 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/2022/0967
Property Ref: D01735A000
Valid date: 26/05/2022
Location: Les Houmets La Hougue Du Pommier Castel Guernsey GY5 7XX
Proposal: Erect shed, remove hedge and install fence to west of property and erect bike shed to south boundary (retrospective).

Applicant: Ms L A Loft

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 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.

3. The front/south boundary hedge must be retained at a height equal to or taller than the bike shed hereby approved for the lifetime of the bike shed, unless otherwise agreed in writing by the Authority.

Reason - To ensure that the development is screened by the hedge in years to come.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Les Houmets' is a mid-20th century bungalow, which has recently been modernised. The dwelling faces south and is set in the northeast corner of its plot. Route de la Hougue du Pommier runs along the south boundary with a central vehicular access. There is a private drive running along the west boundary serving a dwelling and a private drive to a vinery running along the east boundary. The vinery borders the north site boundary. Neighbouring properties are to the east and west and across the road to the south.

The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2021/0869 - Variations to previously approved plans to erect single storey extension and raised terrace to west (side) and north (rear). Install rooflights, flue, external insulating render system and alteration to fenestration - Increase floor area to south (front), install sun tunnels and alterations to fenestration – Approved August 2021.

FULL/2020/1486 - Demolish chimney and extensions. Erect single storey extension and raised terrace to west (side) and north (rear). Install rooflights, flue and external insulating render system and alteration to fenestration – Approved October 2020.

Existing Use(s):

Residential use class 1: dwelling house.

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:

GP8: Design

GP13: Householder Development

Conclusion/Brief comment:

This is a retrospective application to remove a hedge along the north half of the west boundary and replace it with a 2m timber fence; to erect a timber bike shed just inside the south boundary, to the west of the vehicular entrance and to erect a timber potting shed to the west of the property.

Due to a mature hedge growing around the southern part of the site, the potting shed and bike store cannot be seen from the road. The bike shed is located just inside the vehicular entrance adjacent to the mature boundary hedge. Should the hedge die or be removed then the bike store would look out of place, it can be conditioned that should any part of the south boundary hedge be damaged or die, it should be replaced to ensure the shed remains screened from the road.

The replacement fence runs along half of the west boundary, but as it is behind the building line, it is actually exempt. However, the removal of the hedge (which was there beforehand), ought to have had planning permission to be removed. In this instance the area of hedge removed is not adjacent to the road and therefore the impact of its removal is minimal.

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: 25/07/2022