

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND SECTION 19 OF THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

PROPOSALS: Remove hedge and erect fences to south-east and north-east boundaries.

LOCATION: Foxholm, Duveaux Farm Park, Duveaux Lane, St. Sampson.

APPLICANT: Mr P Chick

I refer to the application referred to below received as valid on 04/10/2022 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 30/12/2022

Drawing Nos: Block plan (dated 04/10/22).

Application Ref: FULL/2022/1768

Property Ref: B010480003

The Development & Planning Authority has decided to refuse your application under the provisions of section 16 of the Land Planning and Development (Guernsey) Law, 2005 for the following reasons:-

1. The proposed fence to the rear of the property along the southeast and northeast boundaries of the site, forward of an elevation of the dwelling-house facing a highway, does not achieve a 'good' standard of design, and would, if approved, have a significant detrimental effect on the character and appearance of the area, contrary to Island Development Plan Policies GP8 and GP13.

OTHER REMARKS:-

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, against a decision to refuse an application for planning permission or outline planning permission to the Planning Tribunal on the merits. 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.

Copy of representations made

In reaching this decision the Development & Planning 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 to the Authority under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2022/1768
Property Ref: B010480003
Valid date: 04/10/2022
Location: Foxholm Duveaux Farm Park Duveaux Lane St. Sampson
Guernsey GY2 4YA
Proposal: Remove hedge and erect fences to south-east and north-east
boundaries.
Applicant: Mr P Chick

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The proposed fence to the rear of the property along the southeast and northeast boundaries of the site, forward of an elevation of the dwelling-house facing a highway, does not achieve a 'good' standard of design, and would, if approved, have a significant detrimental effect on the character and appearance of the area, contrary to Island Development Plan Policies GP8 and GP13.

OFFICER'S REPORT

Site Description:

The property known as 'Foxholm' is a 1970's semi-detached dwelling which is one of two homes which does not face the clos which the properties are built around. Foxholm faces northwest with the drive for the dwelling within the west boundary onto Duveaux Lane. The attached semi is adjoined to the northeast and faces southeast. Other Clos neighbours are to the east, southeast, south and west all facing the clos, Duveaux Farm Park, the centre of which is directly beyond the southeast boundary. 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.

Brief Description of Development:

This application is to remove a hedge and erect a 2.2m high fence along the southeast (rear) boundary and 2.1m high fence to the northeast side boundary.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

GP8: Design

GP13: Householder Development

Representations:

None

Consultations:

None

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

The property has an unusual relationship to the Clos on which it is located; the rear of Foxholm faces the clos, rather than the front elevation. The rear of the property has a high conifer hedge in place for privacy, which is well over 2m high. Due to the relationship of the house with the Clos this hedge forms the boundary with the clos road.

The clos is a mix of open fronted properties with one or two screened by hedges. There is only one small section of fencing evident on the Clos and this is to the rear of the neighbour's parking area, but it is somewhat shielded by the hedging on either side.

A fence, compared to a hedge, is much more intrusive in terms of visual appearance, giving an appearance of hard enclosure. The hedge provides a softer means of enclosure, providing natural screening, and is more in keeping with the other boundaries around the clos road.

In this instance, the proposed fence to the rear of the property along the southeast and northeast boundaries of the site, forward of an elevation of the dwelling-house facing a

highway, does not achieve a 'good' standard of design, and would, if approved, have a significant detrimental effect on the character and appearance of the area, contrary to Island Development Plan Policies GP8 and GP13.

Due to the reasons above the recommendation for this application is for refusal.

3 - General material considerations set out in the General Provisions Ordinance.

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. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 29/12/2022