

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 replant hedges to east (front) and west (rear) boundaries.

LOCATION: 7 Rue De La Douzaine, Fort George, St. Peter Port.

APPLICANT: Mr & Mrs Reading

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: 21/12/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/09/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Layout Plan

Application Ref: FULL/2022/1826

Property Ref: A41110A007

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 replacement hedge along the rear (west) boundary shall be planted within three months of the removal of the existing hedge, or in the first planting season following the removal of the existing hedge, or in accordance with a programme previously agreed in writing by the Authority. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - In the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 20/12/2025 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/2022/1826
Property Ref: A41110A007
Valid date: 06/09/2022
Location: 7 Rue De La Douzaine Fort George Fort George St. Peter Port
Guernsey GY1 2TA
Proposal: Remove and replant hedges to east (front) and west (rear)
boundaries.

Applicant: Mr & Mrs Reading

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).

3. The replacement hedge along the rear (west) boundary shall be planted within three months of the removal of the existing hedge, or in the first planting season following the removal of the existing hedge, or in accordance with a programme previously agreed in writing by the Authority. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - In the interests of visual amenity.

OFFICER'S REPORT

Site Description:

The application site comprises of a detached dwelling situated on the Fort George residential estate. The site backs onto undeveloped land bordering Fort Road to the west. The site is located Outside of the Centres.

Relevant History:

None

Existing Use(s):

Residential use class 1: dwelling house

Brief Description of Development:

Planning permission is requested to remove and replant hedges to the front (east) and rear (west) boundaries. It is proposed to plant replacement Griselinia hedges to both the front and rear boundaries.

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

Policy GP1: Landscape Character and Open Land

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP13: Householder Development

Representations:

One letter of representation notes that Griselinia hedges are non-native with no wildlife value and recommends that the replacement hedges comprise of native species.

Consultations:

None

Summary of Issues:

The main issue in deciding this application is the impact on the character and appearance of the area.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

The application site is not within and does not bound an Area of Biodiversity Importance or a Site of Special Significance. Whilst the use of native hedging is encouraged from a biodiversity perspective, in this instance the site is within a suburban setting and there is no planning policy basis to refuse the proposed use of Griselinia hedges.

By virtue of its suburban setting, the use of Griselinia hedges would have no significant adverse effects on the character and appearance of the area. However, it is noted that other species of hedge would have a more positive impact on the landscape character of the area such as Evergreen Oak, Bay or Beech.

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.

It is recommended that the application is approved.

Date: 21/12/2022

