

**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 replace hedge to north of shared access (to Di-San-Ang, Notre Maison & Courtil Carre).

**LOCATION:** Di San Ang, Notre Maison & Courtil Carre, Les Beaucamps, Castel.

**APPLICANT:** Mr J Simon & Mrs J Mahy

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:** 12/12/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/11/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Block Layout Plan (date stamped received 13th October 2022), Block Layout Plan and Site Location Plan (both date stamped received 11th November 2022).

**Application Ref:** FULL/2022/2042

**Property Ref:** D00869B000+D00869A000+D00869000

**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 boundary hedge shown on the approved block layout plan (date stamped received 13th October 2022) shall be planted in the first planting season following the removal of the existing hedge hereby permitted. 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 and protecting the amenities of neighbouring residents.

5.Prior to the removal of the existing hedge, full details of the replacement boundary treatment along the north boundary of 'Di-san-ang' shall be submitted to and agreed in writing by the Authority. The works shall be implemented within 2 months of those details being agreed, or within the first planting season following the removal of the existing hedge hereby permitted if the north boundary is to be replaced with a hedge.

Reason - The details submitted are ambiguous and to ensure that an appropriate boundary treatment is replaced within a reasonable timeframe.

**Expiry Date: This permission will cease to have effect on 11/12/2025 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](http://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](mailto: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/2022/2042  
**Property Ref:** D00869B000+D00869A000+D00869000  
**Valid date:** 11/11/2022  
**Location:** Di San Ang, Notre Maison & Courtil Carre Les Beaucamps  
Castel Guernsey GY5 7DS  
**Proposal:** Remove and replace hedge to north of shared access (to Di-San-Ang, Notre Maison & Courtil Carre).  
  
**Applicant:** Mr J Simon & Mrs J Mahy

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

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Reason - In the interests of visual amenity and protecting the amenities of neighbouring residents.

5. Prior to the removal of the existing hedge, full details of the replacement boundary treatment along the north boundary of 'Di-san-ang' shall be submitted to and agreed in writing by the Authority. The works shall be implemented within 2 months of those details being agreed, or within the first planting season following the removal of the existing hedge hereby permitted if the north boundary is to be replaced with a hedge.

Reason - The details submitted are ambiguous and to ensure that an appropriate boundary treatment is replaced within a reasonable timeframe.

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## **OFFICER'S REPORT**

### **Brief Description of the site:**

The application site comprises a close road serving three properties. The site is located Outside of the Centres and in an Agriculture Priority Area as designated in the Island Development Plan.

Planning permission is sought to remove and replace a hedge to the north of a shared access serving Di-San-Ang, Notre Maison & Courtil Carre, and along the north boundary of Di-San-Ang.

### **Relevant History:**

None germane to this application.

### **Existing Use(s):**

Residential

**Assessment:** *(Tick as appropriate)*

no representation  
accords with policy  
within curtilage  
design acceptable

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| ✓ |
| ✓ |
| ✓ |
| ✓ |

visual amenity acceptable  
no material neighbour impact  
traffic not affected

|   |
|---|
| ✓ |
| ✓ |
| ✓ |

**Policies considered most relevant:**

GP1 Landscape Character and Open Land  
GP8 Design  
GP13 Householder Development

**Conclusion/Brief comment:**

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.

The application is acceptable in relation to the above policies and other material planning considerations.

It is necessary to attach a condition to the decision to ensure that the replacement hedge as shown on the block plan dated 13<sup>th</sup> October 2022 along the north boundary of the clos road be planted within a reasonable timeframe. It is also not clear what the north boundary of Di-San-Ang will be replaced with, therefore a separate condition is required to request these details to avoid any ambiguity and to protect the amenities of neighbouring residents.

**Recommendation:**

Grant with Conditions

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| ✓ |
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**Date:** 12/12/22

