

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 hedge and replace hedge, increase height of roadside wall to south and west boundary and remove section of wall to widen vehicle access.

LOCATION: Pilgrims Rest, 6 Maurepas Clos, Maurepas Road, St. Peter Port.

APPLICANT: Mr T Parsons

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: 26/04/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 24/11/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Layout Plan and elevation sketches (date stamped received 20th April 2023).

Application Ref: FULL/2022/2130

Property Ref: A10287A000

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.Prior to the removal of the existing hedge to the south and west of the property, full details, including the height, species and spacing of new hedging when planted, shall be submitted to and agreed in writing by the Authority.

Reason - To ensure the replacement hedge is appropriate in the interests of visual amenity.

5.The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, 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.

6.The stone to be used in the construction of the extension of the boundary wall hereby permitted shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone.

Reason - In the interests of visual amenity and to respect the character and appearance of the Conservation Area.

7.Within 2 months of the vehicular access being widened, the boundary wall shall be made good to match as closely as possible to the boundary treatment.

Reason - In the interests of visual amenity and to respect the character and

appearance of the Conservation Area.

Expiry Date: This permission will cease to have effect on 25/04/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is drawn to the Animal Welfare (Guernsey) Ordinance 2012 and the 2020 Strategy for Nature, and the need to comply with their provisions. The hedge may be used by nesting birds or other wildlife. You are therefore requested to remove the hedge outside of the main bird breeding season (March-July inclusive). If removal during the breeding season is considered essential, it is recommended that you contact La Societe Guernesiaise so that the site can be inspected prior to removal to ensure that any protected species present are not impacted by the works. La Société can be contacted on 07781 166924 or email societe@cwgsy.net.

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/2022/2130
Property Ref: A10287A000
Valid date: 24/11/2022
Location: Pilgrims Rest 6 Maurepas Clos Maurepas Road St. Peter Port
Guernsey GY1 2DQ
Proposal: Remove hedge and replace hedge, increase height of roadside
wall to south and west boundary and remove section of wall
to widen vehicle access.
Applicant: Mr T Parsons

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 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. Prior to the removal of the existing hedge to the south and west of the property, full details, including the height, species and spacing of new hedging when planted, shall be submitted to and agreed in writing by the Authority.

Reason - To ensure the replacement hedge is appropriate in the interests of visual amenity.

5. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, 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.

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6. The stone to be used in the construction of the extension of the boundary wall hereby permitted shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone.

Reason - In the interests of visual amenity and to respect the character and appearance of the Conservation Area.

7. Within 2 months of the vehicular access being widened, the boundary wall shall be made good to match as closely as possible to the boundary treatment.

Reason - In the interests of visual amenity and to respect the character and appearance of the Conservation Area.

INFORMATIVES

Your attention is drawn to the Animal Welfare (Guernsey) Ordinance 2012 and the 2020 Strategy for Nature, and the need to comply with their provisions. The hedge may be used by nesting birds or other wildlife. You are therefore requested to remove the hedge outside of the main bird breeding season (March-July inclusive). If removal during the breeding season is considered essential, it is recommended that you contact La Societe Guernesiaise so that the site can be inspected prior to removal to ensure that any protected species present are not impacted by the works. La Société can be contacted on 07781 166924 or email societe@cwgsy.net.

OFFICER'S REPORT

Brief Description of the site:

The application site is located in a Conservation Area and Main Centre Outer Area as designated in the Island Development Plan.

Planning permission is sought to remove 60cm section of the boundary wall to widen the vehicle access, replace hedges to the south of the property, and increase the height of the boundary wall to the south and south-west of the property.

The proposed vehicle access width will be 594cm.

As shown on the annotated photographs, the height of the proposed wall will be in line with the highest part of the scalloped section of the existing granite wall towards the south-east corner of the site (208cm high). The proposed wall will extend westwards, parallel to Maurepas Road, and returning northwards, up to the line of the garden fence which is perpendicular to Maurepas Clos. The wall will be scalloped down to the existing height of the wall (92cm high).

Further information was requested to clarify the proposal. The applicant has provided updated elevation drawing, plan view drawing, block layout plan and additional photographs to provide further context of the site and proposal.

Relevant History:

PAPP/2008/3027	Extensions & Alterations	Granted
PAPP/2008/1791	Extension and alterations	Granted

Existing Use(s):

Residential

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:

GP4 Conservation Areas
GP8 Design
GP13 Householder Development
IP9 Highway Safety, Accessibility and Capacity

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.

Due to the species and condition of the hedge which is often vulnerable to disease, it is a reasonable aspiration of the householder to remove the hedge on the inside of a boundary wall to the south of the property. It is reasonable to attach an informative to ensure that it is removed outside of the bird nesting season in the interests of biodiversity. Details of a replacement hedge should be conditioned accordingly in the interests of maintaining visual amenity given that there would be no obligation to construct the boundary wall should circumstances change.

The applicant seeks to extend the height of the highest part of the boundary wall so that it wraps-around the front garden for privacy purposes. The character of the Conservation Area is comprised by a mix of soft and hard landscaping features, such as hedges, trees together with low and high stone walls. On this basis, the incorporation of a high granite wall would have a negligible visual effect and would have a neutral effect on the Conservation Area, subject to the extended section of wall matches as closely as possible to the existing stonework.

The total width of the parking area is acceptable in the context of the clos when taking into account the geometry of the driveway and the limited section of the roadside wall to be demolished.

Overall, the proposal will not have a detrimental impact on the character or appearance of the Conservation Area, visual amenity, or the amenities of neighbouring residents.

Due to the nature of the application, it is not necessary to take into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 25/04/23

