

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 erect a 2.2m fence to south boundary.

LOCATION: Casabella, La Ramee, St. Peter Port.

APPLICANT: Mr C Collins

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: 31/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 17/02/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block plan (17/02/2023) & fence brochure page (08/02/2023).

Application Ref: FULL/2023/0316

Property Ref: A101820000

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.Within four weeks of the fence being erected replacement hedge planting in the southwest corner of the site shall be carried out with a hedge plant species that match the existing roadside hedge unless otherwise agreed in writing with the Authority. The fencing hereby approved shall not be erected within 1.5m of the west/roadside boundary and the first fence panel closest to the road shall not exceed 1.5m in height.

Reason - In the interests of visual amenity and to help assimilate the development to its surroundings.

Expiry Date: This permission will cease to have effect on 30/03/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Please note that the erection of a fence no more than 0.9m high forward of the front elevation of the dwellinghouse does not require the specific grant of planning permission.

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/2023/0316
Property Ref: A101820000
Valid date: 17/02/2023
Location: Casabella La Ramee St. Peter Port Guernsey GY1 2TW
Proposal: Remove hedge and erect a 2.2m fence to south boundary.

Applicant: Mr C Collins

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. Within four weeks of the fence being erected replacement hedge planting in the southwest corner of the site shall be carried out with a hedge plant species that match the existing roadside hedge unless otherwise agreed in writing with the Authority. The

fencing hereby approved shall not be erected within 1.5m of the west/roadside boundary and the first fence panel closest to the road shall not exceed 1.5m in height.

Reason - In the interests of visual amenity and to help assimilate the development to its surroundings.

INFORMATIVES

Please note that the erection of a fence no more than 0.9m high forward of the front elevation of the dwellinghouse does not require the specific grant of planning permission.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Casabella' is a mid-20th century bungalow which has been enlarged over the years. The house is set back from and faces west onto Route de la Ramee. There are neighbouring properties to the north and south, with open agricultural fields to the east and across the road to the west. The property is located Outside of the Centres and within the Agriculture Priority Area 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.

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:

GP8: Design

GP13: Householder Development

Conclusion/Brief comment:

This application is to remove a leylandii hedge and replace with a 2.2m high timber fence along the south boundary.

The leylandii hedge is quite mature, but it is not in good condition towards the east end of the south boundary. Leylandii plants are not particularly good for biodiversity, and so its removal and replacement with a fence is not considered to impact on the biodiversity of the area.

The section of fence which would be forward of the building line (close to the road) would generally be asked to be lowered (a 0.9m fence is exempt, but usually a 1.2m or 1.5m fence is accepted adjacent to a roadside boundary). The applicant has agreed that the first fence panel is to be set back to allow additional hedge plants, that match the west facing hedge, to be planted to complete the roadside boundary thereby screening the new fence. This can be conditioned.

The western hedge to the front of the neighbouring property also offers screening to the proposed high fence however, this hedge could be lowered at any time resulting in a 2.2m high fence becoming more prominent in the streetscene. It is reasonable therefore, to require that the height of the fence panel nearest the road is limited to 1.5m in height in order to manage the effects of the development on the character and appearance of the locality.

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: 31/03/2023

