

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, erect wall and pillars to existing gated vehicle access to west boundary.

LOCATION: Longwood, 45 York Way, Fort George, St. Peter Port.

APPLICANT: Mr K Acott

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: 14/05/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 17/04/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP Architecture 3275-DR-050A, 220A,

Application Ref: FULL/2024/0658

Property Ref: A41110A045

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.

Expiry Date: This permission will cease to have effect on 14/05/2027 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/2024/0658
Property Ref: A41110A045
Valid date: 17/04/2024
Location: Longwood 45 York Way Fort George Fort George St. Peter Port
Guernsey GY1 2SY
Proposal: Remove hedge, erect wall and pillars to existing gated vehicle
access to west boundary.

Applicant: Mr K Acott

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.

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OFFICER'S REPORT

Brief Description of the site:

The property known as 'Longwood' is a 1970's large bungalow which is set back from and faces west onto York Way. There are neighbouring properties to the north and west and across the road to the west, with rear gardens and Princes Close to the east. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2024/0346 - Remove and replace hedge to south-east boundary – Approved March 2024.

FULL/2022/02139 – Erect detached garage to northwest boundary – Approved December 2022.

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

Consultation:

Agriculture, Country and Land Management Services (ACLMS).

'As the house is in an urban setting we don't have any objections to the use of non-native plants (as long as they're not invasive) but in this instance the evergreen species that have been chosen are not particularly environmentally friendly.

If the applicants did want to enhance the hedge for biodiversity I would suggest they don't include *Eleagnus*, *Q. ilex*, *L. nobilis* or *Arbutus*. If they want to plant yew (*Taxus*) it should be *T. baccata*. They might also want to consider wild privet (*Ligustrum vulgare*), which is a semi-evergreen native.

The list of deciduous trees is very vague as they've just listed the genus and not the species. There are native species within each genus but also non-native ones. Again, if they wanted to maximise biodiversity offering I'd suggest they plant:

- *Sorbus acuparia* (rowan)
- *Malus sylvestris* (wild crab apple)
- *Prunus avium* (wild cherry) or *Prunus spinosa* (blackthorn)
- *Betula pendula* (silver birch) or *Betula pubescens* (downy birch)
- *Crataegus monogyna* (hawthorn)
- *Fagus sylvatica* (beech)

Conclusion/Brief comment:

This application is to remove the existing Laylandii hedge along the front west roadside boundary and in its place erect a low 900mm high granite wall with 2m high pillar either side of the existing gateway and plant a selection of different hedge plants and trees to replace the hedge.

The low wall is considered to be exempt as it is 900mm high. Replacing the hedge with native species along a roadside boundary is also considered to be exempt, however, the planting scheme includes a range of native and non-native species, luckily with no invasive species. The range of species has been reviewed by ACLMS and they have made some suggestions to improve the environmentally friendly credentials and biodiversity enhancements, but on the whole they were not too concerned with the hedge as submitted. Deferral of the application for a native hedge would therefore not be necessary in this instance.

The two 2m high gateway pillars (500mm x 500mm) do require planning approval. The pillars will frame the existing vehicular entrance, holding the existing gates, The whole of the front façade will be more inviting and have less of a barricading appearance. The scale and massing of the new pillars are not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will they have any impacts on either of the immediate neighbours.

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 Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 13/05/2024

