

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, replace hedge to north-west (roadside) boundary and erect fence to south-west boundary.

LOCATION: Erzanmyne, Route Du Camp Du Roi, St. Sampson.

APPLICANT: Ms H Blondel

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: 27/06/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/05/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block plan and brochure page (dated 20/05/24), hand drawn elevation (dated 18/06/24).

Application Ref: FULL/2024/0840

Property Ref: B014450000

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.a) Prior to the removal of the existing hedge full details of the replacement native hedge (including the type of hedge and planting densities) shall be submitted to and approved in writing by the Authority.

b) The replacement hedge shall be planted in accordance with the approved details in the first planting season following the removal of the existing hedge. 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 - To ensure that an appropriate replacement hedge is planted in a timely fashion in the interests of the character and appearance of the locality.

5. Within 3 weeks of the removal of the southwest boundary hedge, the new fence panels shall be erected in accordance with the approved drawing.

Reason - To secure the satisfactory appearance of the completed development.

Expiry Date: This permission will cease to have effect on 27/06/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. To reduce the impact on nesting birds, the clearance of any vegetation should be avoided during the main breeding season of March-June (inclusive).

If such works during the breeding season are deemed necessary, advice from a suitably qualified ecologist should be sought in the first instance.

It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. 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/2024/0840
Property Ref: B014450000
Valid date: 20/05/2024
Location: Erzanmyne Route Du Camp Du Roi St. Sampson Guernsey
Proposal: Remove hedge, replace hedge to north-west (roadside) boundary and erect fence to south-west boundary.

Applicant: Ms H Blondel

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).

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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. a) Prior to the removal of the existing hedge full details of the replacement native hedge (including the type of hedge and planting densities) shall be submitted to and approved in writing by the Authority.

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Reason - To ensure that an appropriate replacement hedge is planted in a timely fashion in the interests of the character and appearance of the locality.

5. Within 3 weeks of the removal of the southwest boundary hedge, the new fence panels shall be erected in accordance with the approved drawing.

Reason - To secure the satisfactory appearance of the completed development.

INFORMATIVES

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OFFICER'S REPORT

Brief Description of the site:

The property known as 'Erzanmyne' is a mid-1990's one and a half storey detached dwelling which is set back from and faces northwest onto Route du Camp du Roi. There is a residential neighbour to the southwest and commercial neighbours to the northeast, with access to rear parking along the northeast boundary. To the southeast is one residential neighbour surrounded by open fields. The property is located Outside of the Centres 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 the front and side hedges, replace the front roadside boundary hedge and install a fence along the shared southwest boundary.

Initially the applicant had showed a low fence near the road and stepping up the height of the fence panels as the fence went towards the house, however, the fence panels reached 1.8m high before the building line, which is not considered acceptable.

The application was deferred to allow the applicants to amend the drawing. The amended drawing shows the new 0.9m high hedge, and one 0.9m high fence panel, then two 1.2m high fence panels and two 1.5m high fence panels, which reaches the building line and finally the rest of the fence is 1.8m high to match the remaining fence along the southwest boundary.

The proposals are now 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: 27/06/2024

