

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: Install wall mounted solar panels to south-east (rear) elevation and to south-west boundary wall, remove hedge and erect ground mounted solar panels to south boundary.

LOCATION: 4 Infinity Views, Les Petites Fontaines, St. Peter Port.

APPLICANT: Mr B Crowe

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: 30/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/09/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: The Renewable Energy Centre - Pages 2 - 6

Application Ref: FULL/2024/1386

Property Ref: A30650B004

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) Full details (including type, planting density and height of any plants when planted) of a native hedge to be planted along the south boundary of the site shall be submitted to and approved in writing by the Authority.

(b) The hedge shall be planted in accordance with the approved details subject to criteria (a) above within 8 weeks of the existing hedge being removed, or in accordance with a programme previously agreed in writing by the Authority.

(c) 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 to ensure that an appropriate hedge is planted to safeguard biodiversity.

Expiry Date: This permission will cease to have effect on 30/10/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

It is recommended to avoid disturbance to nesting birds and wildlife, that the removal of the hedge is not carried out in the period beginning 1st March and ending on the 31st July in any calendar year.

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/2024/1386
Property Ref: A30650B004
Valid date: 06/09/2024
Location: 4 Infinity Views Les Petites Fontaines St. Peter Port Guernsey
GY1 1JE
Proposal: Install wall mounted solar panels to south-east (rear)
elevation and to south-west boundary wall, remove hedge
and erect ground mounted solar panels to south boundary.

Applicant: Mr B Crowe

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. (a) Full details (including type, planting density and height of any plants when planted) of a native hedge to be planted along the south boundary of the site shall be submitted to and approved in writing by the Authority.

(b) The hedge shall be planted in accordance with the approved details subject to criteria (a) above within 8 weeks of the existing hedge being removed, or in accordance with a programme previously agreed in writing by the Authority.

(c) 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 to ensure that an appropriate hedge is planted to safeguard biodiversity.

INFORMATIVES

It is recommended to avoid disturbance to nesting birds and wildlife, that the removal of the hedge is not carried out in the period beginning 1st March and ending on the 31st July in any calendar year.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a modern terraced type 2.5 storey dwelling situated to the south of Les Petites Fontaines. Surrounding the site the area comprises residential properties to the north, east and west with open land to the south.

The site is situated within a Main Centre Outer Area and a Conservation Area as designated in the Island Development Plan. The land that borders the site to the south is designated as Important Open Land.

Relevant History:

The application was the subject of pre-application discussions.

Existing Use(s):

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:

MC2 Important Open Land
GP1 Landscape Character and Open Land
GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Conclusion/Brief comment:

Planning permission is sought to install solar panels in the following locations:

- wall mounted panels on the south-east (rear) elevation of the property;
- panels mounted along the east boundary wall of the garden;
- to remove an existing hedge along the south boundary of the site and to erect ground mounted solar panels in a fence formation (standing vertically) along this boundary, with a replacement hedge on the inside (property side) of the solar panels.

The solar panels on the rear elevation of the property will be situated at first floor level and have been arranged to be in-keeping with the design of the host building and the character of the surrounding area. The panels on the boundary wall will be unseen from public vantage points within the surrounding area.

Although the solar panels along the southern boundary will require the hedge to be removed and will therefore be seen from the field to the south of the site, the field in question is a private field. Any public views of these solar panels will therefore be at a considerable distance across the field and any impact on the character and appearance of the Conservation Area would be limited and not so significant to warrant refusal of planning permission. The scheme therefore complies with policies GP1, GP4 and GP8 in this respect.

The application also proposes a new hedge to be planted on the inside of the solar panel array (property side) to ensure that the scheme does not negatively impact on biodiversity and to ensure that an appropriate boundary treatment is maintained in the interests of visual amenity. Should permission be granted it is recommended that a condition is included to ensure that an appropriate native hedge is planted in a timely manner.

The proposal would not have a significant adverse impact on the open character, visual quality or landscape character of the Important Open Land situated to the south of the site and complies with Policy MC1 in this respect.

The development proposes the installation of renewable energy and is encouraged by Policy GP9 of the Island Development Plan.

The drawings also show solar panels to be installed on the roof of the premises, however these comply with the relevant exemption criteria and planning permission is therefore not required.

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.

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

Recommendation:

Grant with Conditions



Date: 30/10/2024

