

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 section of hedge to field boundary to south-west of property.

LOCATION: Vau P'tites Quaies, Routes Des Blicqs, Forest.

APPLICANT: Mr N & Mrs S Gosling

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: 22/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 03/09/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Annotated aerial photograph (dated 03/09/24).

Application Ref: FULL/2024/1526

Property Ref: H006520000

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 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. 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 landscape character of the locality.

Expiry Date: This permission will cease to have effect on 22/10/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

No permission is hereby granted for the alterations to the land levels or the dourt as described in email from Guernsey Water dated 01/10/2024 that accompanies the application submission. This is likely to require planning permission in its own right and you are advised to seek clarification from the Planning Service and ensure if required the necessary permissions are in place.

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/2024/1526
Property Ref: H006520000
Valid date: 03/09/2024
Location: Vau P'tites Ouaies Routes Des Blicqs Forest Guernsey GY6 8YD
Proposal: Remove section of hedge to field boundary to south-west of property.

Applicant: Mr N & Mrs S Gosling

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 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. 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 landscape character of the locality.

INFORMATIVES

No permission is hereby granted for the alterations to the land levels or the douit as described in email from Guernsey Water dated 01/10/2024 that accompanies the application submission. This is likely to require planning permission in its own right and you are advised to seek clarification from the Planning Service and ensure if required the necessary permissions are in place.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Vau P'tites' is a two storey granite property from at least the 18th century. The front façade faces northwest directly onto Route des Blicqs with a vehicular entrance to the northeast of the front boundary and a thin gravel strip of amenity space to the rear of the property, before a large hedge and douit and then an agricultural field in the same ownership. To the southwest, southeast and northeast are adjacent agricultural fields and across the road to the northwest is an old farmstead. 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.

Agricultural use class 28: agriculture.

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 section of hedge which runs along the boundary with the domestic curtilage and the field beyond. The section of hedge to be removed is southwest of the dwelling.

The removal of a section of the hedge is considered acceptable and appropriate especially as the applicants have now agreed to replace the fence with a new native hedge, this can be conditioned.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

However, within the submitted documents was a letter from Guernsey water to say it had been agreed to cover part of the douit by piping the flow of water and raising the land level, no reasons were given for this work. This work is likely to require planning permission in its own right and given that the works have been completed an application is likely to be required in retrospect. It is therefore advised that the applicant requests clarification of this from the Planning Service. An informative should be included on any permission to this effect.

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: 21/10/2024

