

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 rockfall netting to south-east of site.

LOCATION: Maison Collivet Communal Residential Area, La Charroterie, St. Peter Port.

APPLICANT: Guernsey Housing

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: 12/02/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/01/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: States Property Unit: 6934-002 Rev B

Application Ref: FULL/2024/2092

Property Ref: A405640000

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 12/02/2028 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/2024/2092
Property Ref: A405640000
Valid date: 07/01/2025
Location: Maison Collivet Communal Residential Area La Charroterie
St. Peter Port Guernsey GY1 1EL
Proposal: Install rockfall netting to south-east of site.

Applicant: Guernsey Housing

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.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a cliff face situated to the rear (southeast) of Maison Collivet residential properties on La Charroterie. Surrounding the site the area comprises residential properties to the north east and south west, with a residential property on top of the cliff to the south east of the site.

The site is situated within a Main Centre Outer Area and Conservation Area as designated in the Island Development Plan, and the land to the rear forms part of the Area of Biodiversity Importance extending along the cliff face to the south and north-east.

Relevant History:

None relevant

Existing Use(s):

Cliff face

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:

GP1 Landscape Character and Open Land
GP3 Areas of Biodiversity Importance
GP4 Conservation Areas
GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Conclusion/Brief comment:

Planning permission is sought to attach a light gauge galvanised wire mesh netting (approx. 2.7mm diameter) in two places along the cliff face (towards the northern and southern aspects) i.e. directly behind properties 1 to 2 and 7 to 9 Maison Collivet. At the northern part of the site towards the parking area adjacent to the

Drunken Duck public house, the proposal also includes the erection of a 1.8m high chain link fence and gate to provide access for maintenance and for security purposes.

The netting is required to provide adequate protection to these properties along Maison Collivet that are prone (due to overhanging outcrops of rocks) to rocks falling and bouncing over the rock fall protection fencing already in place along the full extent of the site at the base of the cliff.

As part of the proposal, the vegetation will be cut back (not removed) in the areas proposed for the netting. The type of netting proposed would not impede the regrowth of vegetation, and most of the netting will be concealed by this growth once re-established. This will reduce the visual impact of the proposed works on the character and appearance of the Conservation Area and would avoid harm to the surrounding Areas of Biodiversity Importance. Furthermore, the cliff face, the areas of netting and the fencing and gate are largely screened by the existing residential buildings with only glimpsed views between a section of the existing buildings.

These remedial measures will address safety concerns regarding the safety of these sections of the cliff for surrounding residents. The use of such netting is common in situations such as this, and the proposal is considered to satisfy the aims of the relevant policies in the Island Development Plan referred to above.

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: 12/02/2025

