

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: Erect boundary wall, pillars, railings and gate to alter vehicle access.

LOCATION: Pine Crest, Les Queritez, Castel.

APPLICANT: Mr & Mrs F Hervouet

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: 27/05/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 25/02/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton Architects - 2456 03.101

Application Ref: FULL/2025/0323

Property Ref: D010970000+D010980000

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 commencement of any development full details of the landscaping buffer/scheme (as shown on drawing ref: 03.101) to include the location of each species proposed, along with the size, number and density of the plants/trees shall be submitted to and agreed in writing by the Authority.

(b) The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of criterion (a) above, by the end of the first planting season following the first use of the access point hereby approved as altered, or its completion (whichever is the sooner). Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

Expiry Date: This permission will cease to have effect on 26/05/2028 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/2025/0323
Property Ref: D010970000+D010980000
Valid date: 25/02/2025
Location: Pine Crest Les Queritez Castel Guernsey GY5 7ED
Proposal: Erect boundary wall, pillars, railings and gate to alter vehicle access.

Applicant: Mr & Mrs F Hervouet

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) Prior to the commencement of any development full details of the landscaping buffer/scheme (as shown on drawing ref: 03.101) to include the location of each

species proposed, along with the size, number and density of the plants/trees shall be submitted to and agreed in writing by the Authority.

(b) The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of criterion (a) above, by the end of the first planting season following the first use of the access point hereby approved as altered, or its completion (whichever is the sooner). Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a 1940's bungalow situated with three German fortifications. Surrounding the site the area comprises residential properties to the north, south and west with St Germain Nature reserve to the east.

The site is situated Outside of the Centres as designated in the Island Development Plan.

Relevant History:

FULL/2025/0100	Demolish existing dwelling, erect replacement dwelling and associated works.	Pending Consideration
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Existing Use(s):

Residential – Use Class 1

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;
GP8: Design;

GP13: Householder Development;
IP6: Transport Infrastructure and Supporting Facilities;
IP9: Highway Safety, Accessibility and Capacity.

Conclusion/Brief comment:

The property has been unoccupied for some time and is currently in a state of disrepair. A separate application for planning permission has been submitted (Ref: FULL/2025/0100) to demolish the existing and erect a replacement dwelling which is being considered on its own merits separate to this application.

The existing access into the site, due to its surface material and topography is difficult to negotiate. Under this application, planning permission is sought to alter the existing entrance to the property to provide a more formal entrance point and to improve access and egress into the site.

The existing roadside boundary walls either side of the entrance point are to be extended using granite to match the existing wall, creating a bell mouth radii into the site. Low level granite walls with railings above (so as not to impede visibility) are to be formed either side of the entrance each with a granite pillar to frame the entrance point. A black aluminium electronically operate entrance gate will sit between the granite pillars. The gate and the pillars are to be set back from the highway to allow a vehicle to safely leave the highway whilst the gates are operated, without impeding the flow of traffic. Cobble setts are to be used from a point abutting the highway to a point level with the gates to distinguish between the entrance to the site and the public highway. Either side of the entrance landscaping is also proposed to help provide an element of privacy whilst also assimilating the development into its surroundings. However, no details of the landscaping to be planted has been provided and given that this application is separate to the application for the replacement dwelling and could be implemented independently, it is recommended that a condition be included for further details of the proposed landscaping scheme to be provided.

The alterations and the materials proposed to be used are in-keeping with the character and appearance of the surrounding area and will provide a clear and distinct and well designed entrance point into the site. The proposal would not harm the amenities of any neighbouring properties.

The access has been designed so as not to impede visibility from the access point of cars approaching the site from the north and pedestrians that may be using Rue de La Petite Hougue approaching the site from the south. Within the site vehicles can access and leave forward facing and the gates have been setback from the carriageway sufficient distance to allow a car to wait off the main carriageway whilst the gates are opened. The proposal would therefore not harm highway safety.

For the reasons referred to above, the scheme complies with the above mentioned planning policies. 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: 22/05/2025

