

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: Works to stabilise a section of bank to the north-west (roadside) boundary.

LOCATION: Eastgrove, Les Quatre Vents, St. Martin.

APPLICANT: Mr P H Fisher

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: 16/05/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 01/04/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Layout Plan, Plan and Section (Schematic), photographs of the site and example of Maccaferri netting and bank stabilisation table which includes materials to be used.

Application Ref: FULL/2025/0460

Property Ref: J006240000

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 15/05/2028 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/2025/0460
Property Ref: J006240000
Valid date: 01/04/2025
Location: Eastgrove Les Quatre Vents St. Martin Guernsey GY4 6TA
Proposal: Works to stabilise a section of bank to the north-west (roadside) boundary.

Applicant: Mr P H Fisher

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.

OFFICER'S REPORT

Brief Description of the site:

Eastgrove is a one and a half-storey dwelling set back from the road and situated in an elevated position in its plot. The driveway and parking are situated to the south of the dwelling. The roadside boundary is marked by a grassed bank with hedge on top (at garden and house level). The field and other boundaries in the vicinity of the site are also soft landscaping/banks.

The site is located outside of the Centres as designated in the Island Development Plan.

Relevant History:

Pre-application advice was sought in this case.

Existing Use(s):

01 dwellinghouse

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

x
x
x
x

visual amenity acceptable
no material neighbour impact
traffic not affected

x
x
x

Policies considered most relevant:

Island Development Plan policies:

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

Conclusion/Brief comment:

Planning permission is sought to install Maccafrri Rockfall netting along 10m of the roadside bank at Eastgrove with anchor bolts at the top and bottom of the bank with steel cable between. The submission sets out that special attention will be made to make sure that there are no protruding metal elements at road level and that the ground will be reinstated to its original state.

The netting is proposed to protect the bank from collapse into the road. The submission sets out that the existing hedge will not be removed or the roots affected by the proposed netting. It is also noted that the submission refers to the netting being covered. Furthermore, following works the netting would not prevent vegetation growth/regrowth which will help reduce the visual effect of the works on the character and appearance of the bank in this rural lane. Whilst consideration has been given to requiring the netting to be finished black this would likely require it to be painted which would deteriorate over time and would require re-painting/maintenance. This would be impractical without affecting the re-established planting.

The Planning Service must consider the proposals before them and not some alternative, such as rebuilding the existing bank. Nonetheless, it is noted that the bank forms a retaining structure for the garden area beyond and that the rebuilding works would result in the removal of a 10m section of bank and hedgerow which would impact on the biodiversity associated with this section of bank. The approach proposed would at least retain the hedge and its associated benefits and with regrowth re-establish overall there would not be undue harm to the open landscape concerned.

When considering the relevant policies in the IDP and the flexibility offered by Policy GP13 the scheme 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 Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 16/05/2025

