

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 hedge and erect fence to east (front) of dwelling.
(Retrospective).

LOCATION: Jimatomfre, 16 La Planque Estate, La Planque, St. Peter Port.

APPLICANT: Mr & Mrs J & M O'Connor

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: 06/10/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/08/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Site Location Plan, Block Layout Plan, annotated photograph of fencing installed (all date stamped received 6th August 2025).

Application Ref: FULL/2025/0816

Property Ref: A210250016

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 05/10/2028 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/2025/0816
Property Ref: A210250016
Valid date: 06/08/2025
Location: Jimatomfre 16 La Planque Estate La Planque St. Peter Port
Guernsey GY1 1RY
Proposal: Remove hedge and erect fence to east (front) of dwelling.
(Retrospective).

Applicant: Mr & Mrs J & M O'Connor

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.

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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

Site Description:

The application site, known as Jimatomfre, consists of a two storey mid-terrace property located on a clos road (La Planque), south of Skins Lane. The property is located in a Main Centre Outer Area as defined in the Island Development Plan.

Surrounding the site, roadside boundary treatments are generally low and a mix of hedges, picket fencing or lawn frontages, thus creating a well-defined, yet generally 'soft' landscape appearance. This in turn positively contributes to the character and amenity of the area.

It would appear that not all of the fencing installed fronting onto the clos road has benefited from planning permission.

The neighbouring property that forms the entrance of the clos, known as Lindos, was granted planning permission in 2024 to install a 1.8m high fence to the rear of the property. The application included a hedge to be planted in front of the fence in attempt to screen the development and to respect the character and appearance of the clos (FULL/2024/1235).

Relevant History:

Reference No	Description	Decision	Date
FULL/2023/1503 A210250016 Jimatomfre	Erect 2 storey extension to south (side) elevation, single storey extension to west (rear) elevation and alterations to porch and fenestration.	Granted	2023
FULL/2022/2208 A210250016 Jimatomfre	Infill door to west (rear) elevation, remove hedge and erect fence to south and west boundary and store motorhome to front of property (Retrospective).	Granted	2023
FULL/2024/1235 A210250003 Lindos	Erection of 1.8m high fence to west (side) and south (rear) boundary (Retrospective).	Granted	2024

Existing Use(s):

Residential

Brief Description of Development:

Retrospective permission is sought to remove a hedge and erect a 1.2m high timber fence the north and east boundary, located to the front of the property. The fence adopts a 'solid' style design.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

GP8 Design
GP13 Householder Development
IP9 Highway Safety, Accessibility and Capacity

Representations:

The Authority has received a letter of representation from one party objecting to the proposal. Grounds for objection principally relate to the following issues:-

- Impact on visual amenity.
- Design of fence.

Consultations:

None.

Summary of Issues:

- Whether the removal of the former hedge is acceptable.
- Whether the design of the fence is acceptable.
- Whether the development would impact on the character and appearance of the area.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

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.

Policy GP13 (Householder Development) states that proposals for the alteration and/or extension of residential properties within the residential curtilage, will be supported where there are no significant adverse effects on the amenities of neighbouring properties; the design, scale, mass and form would not detract from the open character of open locations; and they do not affect the special interest of Conservation Areas, Areas of Biodiversity Importance, protected buildings or protected monuments.

In this instance GP8 (Design) is also relevant. The preceding text to Policy GP8 refers to the need to consider the material planning considerations as specified in Part IV, Section 13 of the Land Planning and Development (General Provisions) Ordinance 2007. These include the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used, as well as its likely effect on the character and amenity of the locality in question and its likely effect on the reasonable enjoyment of neighbouring properties.

While it is recognised that in less sensitive areas a degree of personal choice may be exerted by householders with regards to design matters, this level of flexibility is carefully balanced against public interest.

It is considered that the removal of a hedge(s) would be acceptable under the provisions of Policy GP8 and GP13, subject to the replacement boundary treatment adopting a 'good' standard of design and respects the character and appearance of its surroundings.

The material and size is acceptable under Policy GP8, although its 'solid' style of design and appearance raises some issues.

Due to the siting and solid design of the fence panels, without any forming of screening along the roadside boundary, the proposal is considered to have a negative effect on the character and appearance of the clos when viewed in context with the former roadside hedge. However, when taking into account the limited height of the fence (1.2m), and the additional height of the fence (30cm) that would be higher than that permitted under the Exemptions Ordinance (2023), the degree of harm is not considered to be so substantial to reasonably justify refusal. Moreover, the clos is characterised by a mix of hedges, lawn, and fencing on the clos, some of which are of a different designs and heights, albeit not all the fencing appears to have been benefited from planning permission.

In this case, the reasonable aspirations of the property owner (Policy GP13) outweigh the harm to the character and appearance of the clos. For the purposes of Policy GP8, the proposal achieves a 'good' standard of design.

The development will not affect the amenities of neighbouring residents, nor have any significant adverse effect on highway safety or traffic management due to the height of the fence, coupled with the low traffic speeds and volumes on the close road.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Date: 02/10/25

