

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND SECTION 19 OF THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

PROPOSALS: Remove hedge and fence to create additional parking area to south boundary and erect gate and fence to east (front) of property.

LOCATION: Fulmar, L'Enclos Des Monts, Mont Morin, St. Sampson.

APPLICANT: Mr & Mrs A Wallace

I refer to the application referred to below received as valid on 08/08/2025 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 16/09/2025

Drawing Nos: A7 Architecture Limited - 25-1643 PD/01 & V1 Sketch Illustration (date stamped 08.08.25)

Application Ref: FULL/2025/1235

Property Ref: B005370009

The Development & Planning Authority has decided to refuse your application under the provisions of section 16 of the Land Planning and Development (Guernsey) Law, 2005 for the following reasons:-

1. The creation of additional car parking as proposed would detract from the character and visual amenity of the clos and would set an undesirable precedent for similar development which would result in a significant erosion of the character of the clos, detrimental to visual amenity. The proposal is therefore contrary to Island Development Plan Policies GP8(c) and GP13.

OTHER REMARKS:-

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, against a decision to refuse an application for planning permission or outline planning

permission to the Planning Tribunal on the merits. 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.

Copy of representations made

In reaching this decision the Development & Planning 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 to the Authority under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2025/1235
Property Ref: B005370009
Valid date: 08/08/2025
Location: Fulmar L'Enclos Des Monts Mont Morin Mont Morin St.
Sampson Guernsey GY2 4JA
Proposal: Remove hedge and fence to create additional parking area to
south boundary and erect gate and fence to east (front) of
property.
Applicant: Mr & Mrs A Wallace

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The creation of additional car parking as proposed would detract from the character and visual amenity of the clos and would set an undesirable precedent for similar development which would result in a significant erosion of the character of the clos, detrimental to visual amenity. The proposal is therefore contrary to Island Development Plan Policies GP8(c) and GP13.

OFFICER'S REPORT

Site Description:

The property known as 'Fulmar' is a semi-detached property and one of approximately 24 properties around L'Enclos des Monts. The property is set back from and faces southeast onto the access road. The other semi is to the northeast and the shared drive leading to the rear parking is directly southwest with another semi beyond. To the west is a commercial building which faces west onto Rue des Monts. The property is located in the St Sampson Main Centre Outer Area 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.

Brief Description of Development:

This application is to remove a hedge and fence to create an additional parking area along the south boundary, part of the front garden, and erect a gate and fence between the parking and garden.

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

GP8: Design

GP13: Householder Development

Representations:

None

Consultations:

None

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

The clos of over 20 dwellings was built in the 1980's. The design approach was to provide parking for vehicles at the rears of the properties, with a few visitor parking spaces at the front. This means that the entrance and front of all the properties are relatively vehicle free, providing pleasant visual amenity.

The clos has six shared driveways leading to private parking areas to the rear of the properties. To allow the front gardens to become parking spaces will change the amenity that presently exists.

At present there is enough parking at the rear for two cars, plus there is a garage. The garden is a good size but reducing it to allow for parking would not respect the existing character of the clos and would set an undesirable precedent for similar development which would cumulatively result in a significant erosion of the character of the clos, detrimental to visual amenity.

The proposal is therefore contrary to Island Development Plan Policies GP8(c) and GP13.

In this instance the recommendation for this application is one of a refusal.

Removing the existing hedge would not require planning permission if it were to be replaced by a new native hedge.

3 - General material considerations set out in the General Provisions Ordinance.

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. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 15/09/2025