

PLANNING FREQUENTLY ASKED QUESTIONS – FENCES

Householders put up fencing for a number of reasons; to define property boundaries, to seek to ensure privacy, safety or security. There is a need to accommodate householders who wish to have fencing on their properties whilst at the same time protecting the quality of the built environment.

You may not need to make a planning application for a fence

An application for planning permission is not required for the erection of a fence within or along a boundary of a house if:

- The height of such a structure erected within or along a boundary of the curtilage of a house does not exceed 2 metres in height above any land within 2 metres on either side
- The height of that part of a structure which is erected in front of any elevation of the house that faces a highway does not exceed 90 centimetres in height above any land within 2 metres on either side
- Any fence is of timber construction
- Any gate is of timber or metal construction
- Any wall is of natural stone or rendered blockwork
- Neither the house nor the structure to be erected is within a site of special significance
- The property in question is not a Protected Monument or Protected Building

If planning permission is required

What we will consider when assessing a planning application for a fence

Fencing in front gardens, in rear gardens that adjoin, or that are in close proximity to a road are of concern because of the potential impact on the street scene and amenity. In assessing applications for fences that are not exempt from the need for planning permission, the following principal considerations will be taken into account:

The nature and quality of the surrounding built environment

There are a number of established areas on the Island that were originally designed and set out with the original intention that boundaries would be formed by hedging or of an open plan appearance. In such cases exemption rights for fencing have usually been removed, meaning that express planning permission for fencing would be required. If you live in a clos, you may wish to contact us to check that planning permission is not required.

The visual merit of the existing boundary treatment (including hedges) to be demolished or removed

In order to erect fencing it is often necessary for householders to remove existing boundary features such as established hedges. Such hedges often contribute to the character of the island and it will be necessary to undertake an assessment of such features in the context of the area.

Since the new planning law was enacted in 2009, hedges anywhere in Guernsey, whether or not they can be seen by passers-by, require permission to be removed or partly removed, e.g. by making a gap in the hedge. There are no exemptions to this, although ordinary maintenance work such as hedge trimming, including when carried out to restore an overgrown hedge, does not require planning consent.

No permission is required to plant a hedge, but householders should check with us if there are associated factors, e.g. if hedge planting is associated with a change of use of land.

Any special circumstances, such as whether the property forms part of a terrace or is prominently situated

The visual impact of the proposal on the character of the street scene will be considered. For example, a property situated within a more rural location may be characterised by boundaries formed by soft landscaping such as hedges and/or trees and shrubs. Consequently, it may be that the introduction of a fence irrespective of its height would adversely affect the setting of the existing property and the character of the street scene.

In other cases, where the property is in an area that is more built-up or urban in character and the street scene may include hard landscaping including walls and fences, the erection of a fence may be much more acceptable.

The height of the fence proposed, its design and quality and the materials to be used in its construction

The erection of fencing where it is adjacent to a road or footpath and where it provides a boundary to prevent overlooking of and maintain privacy within the principal amenity space of a dwelling (normally to the rear of the dwelling) will require close scrutiny. In such cases it may be reasonable to permit a fence of up to 2m high in order to provide or maintain a reasonable degree of privacy.

In certain cases, where a 2m high fence will be particularly prominent in the context of the area, the use of alternative and/or more permanent means of enclosure such as walls or hedges might be more appropriate.

The materials to be used in the erection of the fencing will also be of significance. In particular, where it is likely to be visible from a public place, a fence constructed using good quality materials is less likely to have a detrimental impact on the character or appearance of the street scene than one constructed using temporary or lightweight materials which would deteriorate more rapidly to the detriment of the visual amenities of the locality.

The existence of similar fences in the locality and whether such fences are authorised or unauthorised

Consideration will also be given to whether the fence if permitted would set a precedent on the area and the cumulative effect that would result from other similar properties pursuing the same or similar proposals. However, if otherwise acceptable, it would be unreasonable to resist such a proposal on the basis that it could set a precedent alone. Particular attention will need to be paid to the resultant impact on the street scene and the precedent that may be set.

The location of the fence in relation to the householders' dwelling and road

The proximity of the fence to the road and/or footpath together with its height is also a material consideration. For example, a fence of 2m high is likely to have a significant impact on the character of the street scene if erected immediately adjacent to the road or an associated footpath.

The effect of the fence on the setting and appearance of the existing property, visual amenity and the quality of the surrounding built environment

It will be necessary to assess the impact of the proposal on the character of the particular area and the resultant impact of the proposed fence and the openness or otherwise of the area.

The Department will also need to consider the presence of existing landscape features that could screen the fence or reduce its visual impact.

Replacement of existing fencing

Although the repair of an existing fence, for example amounting to the replacement of one or two fence panels or a similar scale of work and carried out on a like-for-like basis, would not normally amount to development requiring planning permission, more extensive work including the replacement of an existing fence requires planning permission, unless the replacement fence falls within the criteria of the planning exemption.

In all cases, if you are unsure about your fencing scheme, please contact us for advice.

Contact us

If you have any queries or concerns please contact the us on 01481 717200 or email planning@gov.gg

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