

## FENCES GUIDANCE

### **This guidance relates to householder development only (House, Flats and buildings containing flats).**

Planning permission is required for the installation of fencing unless the fencing to be erected meets **all** the criteria of one of the following exemptions:

Class 1 (16) – Gates, Fences and Wall in relation to a dwelling-house

Class 2 (11) – Gates, Fences and Walls in relation to a flat or a building containing flats

These are available to view through the planning and building control link at [www.gov.gg](http://www.gov.gg)

There are no exemptions where a building is protected.

Please note it may be possible that exemption rights for the erection of fencing have been removed, meaning that planning permission for fencing would be required. You may wish to contact us to check that planning permission is not required before erecting a fence.

Should planning permission be required, the main material considerations in the determination of a planning application will be:

#### **The nature and quality of the surrounding built environment**

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.

#### **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 enactment of the planning law 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, unless they are replaced with native hedging or meet the exemptions applicable for such development to take place. 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 on the openness or otherwise of the area.

The Planning Service 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 226200 or email [planning@gov.gg](mailto:planning@gov.gg)

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