

**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:** Erect single storey extension to south (side) elevation.

**LOCATION:** 6 Clos De Mont Arrive, Mont Arrive, St. Peter Port.

**APPLICANT:** Ms A Pickering

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:** 06/09/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/05/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Jason Hobbs Architectural Services Ltd: 6227/A/3.

**Application Ref:** FULL/2022/1118

**Property Ref:** A103470006

**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 05/09/2025 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](http://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](mailto: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/2022/1118  
**Property Ref:** A103470006  
**Valid date:** 20/05/2022  
**Location:** 6 Clos De Mont Arrive Mont Arrive St. Peter Port Guernsey  
GY1 2AG  
**Proposal:** Erect single storey extension to south (side) elevation.  
**Applicant:** Ms A Pickering

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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## **OFFICER'S REPORT**

### **Site Description:**

The property known as '6 Clos de Mont Arrive' is a typical 1970's two storey semi-detached dwelling, which is slightly set back from and faces west onto Clos de Mont Arrive. The other semi is to the north and there are other pairs of semi's to the south and west. To the east is an area of Important Open Land, which falls away to the east. The property is located in the St Peter Port 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 erect a single storey flat roof side extension to house a utility room and shower room.

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

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

### **Representations:**

There has been one letter of representation and the issues are:

- Major concern about access to the neighbours property - the plan submitted shows a parking space once the proposed extension is built, for a saloon car, whereas the current residents have an estate car which it would appear is going to overhang their property forcing it out onto the shared Clos road/turning point. The boundary of No 8 Clos de Mont Arrive comes out over No 7's driveway, therefore any overhang from a vehicle at No 6 Clos de Mont Arrive is going to seriously impede on No 7's access.
- Whilst the lounge window of No 7 currently looks out onto the gable of No 6, the proposed extension will be closer to No 7.

- No 7 can currently park 3 vehicles on their driveway but should planning permission be granted they will effectively lose one space as it will no longer be possible to park 2 vehicles alongside each other and open the doors.
- The proposed work, if approved, will be directly in front of No 7 Clos de Mont Arrive at extremely close proximity, with corresponding disruption/noise/dust/machinery access. No 7 Clos de Mont Arrive are not prepared to allow any work to be undertaken from their property.

### **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 proposed extension is small in size, just over 2m wide, and would be located within the property boundaries, set 0.5m from the south boundary. The proposal would not therefore encroach onto land outside of the applicant's ownership and there is no evidence that the extension would impinge on any legal rights of the neighbouring property.

The space left in front of the extension would be 4.9m, which is the standard size of a parking space and would be acceptable.

The proposals achieve a good standard of design, using materials which complement the existing materials. The scale and massing of the new extension is not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it have any impact on any of the immediate neighbours amenity space or any significant impact on outlook from those properties.

Whilst any construction works are likely to give rise to a level of disruption, this application is for minor works and there is separate legislation in place to control works on site. Rights of access to undertake works are a legal matter, and the grant of planning permission would not override any existing rights or privileges.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

### **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 and Planning (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:** 06/09/2022