

**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 (rear) elevation and install first floor window to east (side) gable.

**LOCATION:** Les Clercs, Rue Godfrey, Vale.

**APPLICANT:** Petit Marais Holdings Limited

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:** 02/06/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 14/02/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Jason Hobbs Architectural Services Ltd: 6016/R/1.

**Application Ref:** FULL/2023/0384

**Property Ref:** C003430000

**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 01/06/2026 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/2023/0384  
**Property Ref:** C003430000  
**Valid date:** 14/02/2023  
**Location:** Les Clercs Rue Godfrey Vale Guernsey  
**Proposal:** Erect single storey extension to south (rear) elevation and install first floor window to east (side) gable.  
  
**Applicant:** Petit Marais Holdings Limited

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

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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 site is located Outside of the Centres and is the subject of no other designation under the Island Development Plan.

The application site comprises part of a former vinery, the glass to which was cleared at some point during the period 1979 to 1990 (based on archive aerial photographs).

The former packing shed was granted planning permission to be converted, and then subsequently demolished and rebuilt under applications FULL/2019/0585 and FULL/2020/0539 respectively. The whole of the land parcel has been recognised as domestic curtilage.

As part of planning application (FULL/2021/1625), it was regarded that the building works are complete to a stage that the structure can be recognised as a dwelling-house. The more recent applications involved erecting 1.5 storey extensions to the side elevations (east and west) and walls (FULL/2022/0011), and a 1.5 storey extension to the rear (south) elevation (FULL/2022/1354).

### Relevant History:

|                |                                                                                                                                                                                            |                         |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| PREA/2023/0191 | Erect a conservatory.                                                                                                                                                                      | Pre-application enquiry |
| FULL/2022/1354 | Erect 1.5 storey extension to south (rear) elevation and install window to west (side) elevation.                                                                                          | Granted                 |
| FULL/2022/0011 | Erect 1½ storey extensions to west (side) and east (side) elevations and erect wall and retaining wall with gated pedestrian access.                                                       | Granted                 |
| FULL/2021/1625 | Variations to plans previously approved to demolish packing shed and erect dwelling - raise roof ridge height and install dormer windows and rooflights to create 1st floor accommodation. | Granted                 |
| FULL/2019/0585 | Conversion of packing shed to dwelling. Demolish section of outbuilding. Reduce height of chimney on south elevation. Alterations to fenestration.                                         | Granted                 |
| FULL/2020/0539 | Demolish packing shed and erect dwelling.                                                                                                                                                  | Granted                 |

### Existing Use(s):

Residential

### **Brief Description of Development:**

Planning permission is sought to erect a single storey flat roof extension to the rear of the property and to install a gable window to the east gable extension at first floor level.

The proposed extension will serve as a kitchen and utility.

The proposed solar panels to the rear of the property are considered to fall under the Exemptions Ordinance, 2023.

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

GP8 Design  
GP9 Sustainable Development  
GP13 Householder Development

### **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:-

- The installation of a foundation for the proposed extension and the retrospective nature of the works.

### **Consultations:**

None.

### **Summary of Issues:**

- Whether the design, scale, mass, siting, form and materials of the proposed development is acceptable.
- The impact of the development on the character and appearance of the area.
- The impact of the development on neighbour amenity.

### **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 Area, Area of Biodiversity Importance, protected building or protected monument.

In this instance Policy GP8 (Design) is also relevant. In addition, the preceding text to this policy 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.

Whilst the cumulative mass of the property has been increased again and the site is located on a corner plot which is sensitive to change, the resultant effect is not considered to cause undue harm to the surrounding built environment or visual amenity and any impact would not be so substantial to rebut the general support in favour of householder development as set out in Policy GP8 and GP13.

Consequently, despite its size, the proposed extension achieves an acceptable scale, form, mass siting and materials and therefore achieves a 'good' standard of design for the purposes of Policy GP8.

The installation of a window at first floor level to the east of the property will not affect the amenities of neighbouring residents.

The representation received has been carefully considered as part of this application. The Planning Service is aware that the applicant had installed an 'over engineered' patio slab as part of the former permissions. Although, due to the depth of the existing foundations to construct the proposed extension off and that no walls have been constructed above that permitted under the Exemptions Ordinance (2023), there would be no grounds to enforce against the works carried out on site and therefore the works are not deemed to be retrospective.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies; it is therefore recommended that planning permission be granted, subject to conditions.

**Date:** 30/05/23

