

**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 create dower unit to south-east (side) elevation.

**LOCATION:** Summerland House, Rue Du Closel, Vale.

**APPLICANT:** Mr & Mrs A Jones

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:** 29/11/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/07/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Mark Frampton & Co. - 2023 / 653 / 02

**Application Ref:** FULL/2023/1179

**Property Ref:** C01596B000

**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 28/11/2026 unless development is commenced by that date.**

#### **ADVICE AND OTHER REMARKS:-**

For the avoidance of doubt, this decision permits the erection of an attached dower unit to be used as an integral part of and incidental to the principal dwelling presently known as Summerland House. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

#### **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/2023/1179  
**Property Ref:** C01596B000  
**Valid date:** 12/07/2023  
**Location:** Summerland House Rue Du Closel Vale Guernsey GY3 5ES  
**Proposal:** Erect single storey extension to create dower unit to south-east (side) elevation.  
**Applicant:** Mr & Mrs A Jones

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

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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.

**INFORMATIVES**

For the avoidance of doubt, this decision permits the erection of an attached dower unit to be used as an integral part of and incidental to the principal dwelling presently

known as Summerland House. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

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## **OFFICER'S REPORT**

### **Site Description:**

The application site comprises a detached two storey building known as 'Summerland House' which is located to the east of Rue Du Closel. The application site is located Outside of the Centres as designated in the Island Development Plan. To the east of the site lies a protected monument.

The property is not a protected building, nor is it situated in a Conservation Area.

### **Relevant History:**

|                |                                                                                                                         |                        |
|----------------|-------------------------------------------------------------------------------------------------------------------------|------------------------|
| PREA/2013/1219 | Erect two-storey extension on side of house and sub-divide dwelling to form a separate unit of habitable accommodation. | Pre-application advice |
| PAPP/2006/1514 | Demolish porch and extend dwelling                                                                                      | Granted                |

### **Existing Use(s):**

Residential

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

Planning permission is sought to erect a single storey extension to the south-east (side) elevation of the property. The extension will serve as a dower unit, which as originally submitted consisted of two bedrooms, a living room, shower room and a kitchenette. The application was deferred as concerns were raised with regards to the facilities afforded to the dower unit i.e. two bedrooms and the design of the roof and its relationship to the main house. The agent has since reduced the number of bedrooms to 1 and retained the original design.

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

GP8 Design  
GP9 Sustainable Development  
GP13 Householder Development

### **Representations:**

None received.

**Consultations:**

None generated.

**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 Planning and Development (General Provisions) Ordinance, 2007 have been considered 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 Areas, Areas of Biodiversity Importance, protected buildings or protected monuments. Policy GP13 also states that proposals for dower units will be supported provided the additional accommodation is demonstrably ancillary and well-related to the existing dwelling and there are no significant adverse effects on the amenities of neighbouring properties.

The proposed dower unit would be attached to the main house, and would have a subordinate relationship and association to the main dwelling. Information has also been given noting the shared facilities, garden area, parking area and utility supplies with the main house. Overall, the proposal is compliant with Policy GP13, subject to the accommodation being used only for purposes incidental to the main dwelling. The proposal will have no impact on neighbour amenity.

The proposed extension is of an acceptable design in accordance with Policy GP8 (Design) and sufficient information has been submitted that has considered the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purposes of the Law and the other material planning considerations. It is therefore recommended that planning permission be granted, subject to conditions.

**Date:** 29/11/2023