

**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 north-west elevation and store to south-east elevation and alterations to fenestration to outbuilding to create dower unit (Protected Building).

**LOCATION:** Le Pont, Rue Des Pres, St. Pierre Du Bois.

**APPLICANT:** Ms C Lenfestey

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:** 04/10/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/08/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Paul Langlois Architects: 2280/01 & 09

**Application Ref:** FULL/2023/1294

**Property Ref:** F012230000

**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 03/10/2026 unless development is commenced by that date.**

**ADVICE AND OTHER REMARKS:-**

The applicant is reminded that the existing outbuilding/dower unit is to be used only for purposes incidental and ancillary to the dwelling house. Any use as an independent unit of accommodation would require a separate grant of planning permission.

**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/2023/1294  
**Property Ref:** F012230000  
**Valid date:** 15/08/2023  
**Location:** Le Pont Rue Des Pres St. Pierre Du Bois Guernsey GY7 9AQ  
**Proposal:** Erect single storey extension to north-west elevation and store to south-east elevation and alterations to fenestration to outbuilding to create dower unit (Protected Building).  
  
**Applicant:** Ms C Lenfestey

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

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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).

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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.

## INFORMATIVES

The applicant is reminded that the existing outbuilding/dower unit is to be used only for purposes incidental and ancillary to the dwelling house. Any use as an independent unit of accommodation would require a separate grant of planning permission.

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## OFFICER'S REPORT

### Brief Description of the site:

The application site comprises a Protected Building close to the junction of Rue des Pres, Rue des Marches and Les Heches. A detached studio of timber construction stands to the southwest within large gardens.

The site is also located Outside the Centre, and within the Agricultural Priority Area, Conservation Area.

### Relevant History:

PAPP/2008/0429 – Use of studio as ancillary accommodation Approved 24/07/2008

FULL/2023/1293 – Demolish extensions and glasshouse, extend and alter at ground and first floor level to south east (rear) elevation, replace roof covering and internal alterations. Erect single storey detached garage/workshop to the north-west of the property.

Decision:

Pending

### Existing Use(s):

01 Dwelling houses

### Assessment: *(Tick as appropriate)*

no representation

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| ✓ |
| ✓ |
| ✓ |
| ✓ |

accords with policy

within curtilage

design acceptable

visual amenity acceptable

no material neighbour impact

traffic not affected

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|---|
| ✓ |
| ✓ |
| ✓ |

### Policies considered most relevant:

GP4 – Conservation Area

GP5 – Protected Buildings

GP8 – Design

GP9 – Sustainable Development

GP13- Householder Development

**Representations:**

One letter of representation has been received from a neighbour, this relates almost entirely to the application which is pending for works to the main dwelling at Le Pont (FULL/2023/1293). The only point specifically relating to the Dower Unit is that the original building was not designed for full living and should not be plumbed in due to potential for sewage leaks into the nearby protected stream.

**Conclusion/Brief comment:**

Permission is sought for single storey extensions to the existing outbuilding which is used for ancillary accommodation to the main dwelling, Le Pont. The outbuilding stands within the domestic garden of Le Pont and the accommodation to be created includes two storage cupboards and a new separate lounge area, and it is considered that the extensions are not of a scale which would change the ancillary relationship and dependence upon the main dwelling. The building stands in relatively close proximity to the dwelling with easy access between the two with the shared parking area and access retained.

The southern and eastern site boundaries are delineated by mature planting which would screen views into the neighbouring properties. No harm to neighbouring amenity is therefore expected and the proposal is considered to meet the requirements of Policy GP13.

In consideration of the proposed extensions, the appropriateness of the design and location relative to the Protected Building are accepted and accords with the requirements of Policy GP5. There is not anticipated to be any impact on the Conservation Area setting.

The plumbing of the dower unit will be assessed through Building Control approval and will need to meet the necessary standards which should prevent any harmful leakage. The potential for future leaks would not substantiate the refusal of planning permission.

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.

**Recommendation:**

Grant with Conditions



**Date:** 03/10/2023

