

**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:** Demolish outbuilding, erect single storey extension to create dower unit, with terrace at 1st floor level to west (side) elevation.

**LOCATION:** La Sergentee Cottage, Clos Courtil Simon, Route de Cobo, Castel.

**APPLICANT:** Ms R Burton-Pettitt

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:** 02/10/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 14/08/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** A7 Design Limited - 18-967-P3/PD/01A

**Application Ref:** FULL/2023/1441

**Property Ref:** D013440000

**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 01/10/2026 unless development is commenced by that date.**

**ADVICE AND OTHER REMARKS:-**

For the avoidance of doubt, this decision permits the erection of an extension to be used as an integral part of and incidental to the principal dwelling presently known as La Sergentee Cottage. 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/2023/1441  
**Property Ref:** D013440000  
**Valid date:** 14/08/2023  
**Location:** La Sergentee Cottage Clos Courtil Simon Route de Cobo Castel  
Guernsey GY5 7RU  
**Proposal:** Demolish outbuilding, erect single storey extension to create  
dower unit, with terrace at 1st floor level to west (side)  
elevation.  
**Applicant:** Ms R Burton-Pettitt

**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 extension to be used as an integral part of and incidental to the principal dwelling presently known as La Sergentee Cottage. 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

### Brief Description of the site:

The property known as 'La Sergentee Cottage' is a traditional one and a half storey cottage with a large two storey extension and link to the east. The cottage faces south and the vehicular entrance is along a track to the southeast. The property is located behind the ribbon development north of Route de Cobo. There are neighbouring properties to the south and one to the north and open agricultural land to the east and west. The property is located Outside of the Centres as defined in the Island Development Plan.

### Relevant History:

FULL/2021/1901 – Demolish outbuilding, erect two-storey extension with single storey link extension to east (side) elevation – Approved October 2021.

FULL/2018/0766 - Re clad existing dormer windows, install rooflight on front elevation, install dormer window on rear roof slope, install juliet balcony (west elevation), alter fenestration, and remove render and expose granite walls (all elevations) – Approve May 2018.

### Existing Use(s):

Residential use class 1: dwelling house.

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

|                     |                                     |                              |                                     |
|---------------------|-------------------------------------|------------------------------|-------------------------------------|
| no representation   | <input checked="" type="checkbox"/> | visual amenity acceptable    | <input checked="" type="checkbox"/> |
| accords with policy | <input checked="" type="checkbox"/> | no material neighbour impact | <input checked="" type="checkbox"/> |
| within curtilage    | <input checked="" type="checkbox"/> | traffic not affected         | <input checked="" type="checkbox"/> |
| design acceptable   | <input checked="" type="checkbox"/> |                              |                                     |

**Policies considered most relevant:**

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

**Conclusion/Brief comment:**

This application is to demolish an outbuilding and erect a single storey extension to create a dower unit, with terrace at first floor level to the west side elevation of the original cottage.

The application was deferred due to concerns about the size of the kitchen and the need for another entrance on the south elevation. Revised drawings have been submitted with an amended layout, including a reduction in the size of the kitchen, and justification for the second entrance has been submitted.

Information has been submitted which indicates that the use of the proposed dower unit will be ancillary to the existing dwelling. The dower unit is attached to the west elevation of the existing dwelling with an internal link to the existing dwelling and together with the information submitted it has been demonstrated that the proposed dower unit is ancillary and well-related to the existing dwelling, in accordance with Policy GP13.

The proposals achieve a good standard of design, using materials which complement the existing materials. The extension will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation.

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 either of the immediate neighbours.

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.

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:** 29/09/2023

