

**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 extension, erect 2 storey extension to north-west (side) elevation and alterations to fenestration.

**LOCATION:** Tabula Rasa, 4 La Mare Estate, La Rocquette Road, Castel.

**APPLICANT:** Mr R Le Cheminant

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:** 05/01/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 30/11/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Steve De Vial & Co - 2023-809-3 & Block Plan

**Application Ref:** FULL/2023/2344

**Property Ref:** D005490004

**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.

4.Prior to works commencing on site (excluding demolition and site works), full details of the composite cladding shall be submitted to and agreed in writing by the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - To avoid any ambiguity with the proposal and to consider the design, texture and appearance of the cladding in the interests of visual amenity.

**Expiry Date: This permission will cease to have effect on 04/01/2027 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/2023/2344  
**Property Ref:** D005490004  
**Valid date:** 30/11/2023  
**Location:** Tabula Rasa 4 La Mare Estate La Rocquette Road Castel  
Guernsey GY5 7BL  
**Proposal:** Demolish extension, erect 2 storey extension to north-west  
(side) elevation and alterations to fenestration.  
  
**Applicant:** Mr R Le Cheminant

**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).

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.

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## OFFICER'S REPORT

### Brief Description of the site:

The application site is located Outside of the Centres as designated in the Island Development Plan.

Planning permission is sought to demolish a single storey extension and erect a 2-storey extension to the north-west (side) elevation of the property, and to make alterations to the fenestration to the rear of the property. The proposed extension will be finished in composite cladding at first floor level and render at ground floor level, with a natural slate roof. It is proposed to reduce the size of an existing window opening at first floor level to the rear of the property, to create an en-suite. The application has been subject to a pre-application enquiry.

It is understood that the proposal seeks to erect a cantilevered two storey extension in order to retain sufficient width at ground level to park a vehicle, whilst maximising internal floor space at first floor level.

### Relevant History:

|                |                                                                 |                         |
|----------------|-----------------------------------------------------------------|-------------------------|
| PREA/2023/1844 | Demolish single-storey garage and erect a two-storey extension. | Pre-application enquiry |
| PREA/2023/1517 | Extension and alterations                                       | Pre-application enquiry |

### Existing Use(s):

Residential

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

no representation  
accords with policy  
within curtilage  
design acceptable

|                                     |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |

visual amenity acceptable  
no material neighbour impact  
traffic not affected

|                                     |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |

**Policies considered most relevant:**

GP8 Design  
GP9 Sustainable Development  
GP13 Householder Development

**Conclusion/Brief comment:**

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.

The proposed extension adopts a satisfactory standard of design by virtue of its scale, mass, siting and materials. Whilst the cantilevered extension is different to the surrounding built environment in terms of its form, which is likely to have a somewhat jarring effect and is made more prominent by the change in materials, Policy GP8 and GP13 affords a degree of flexibility with regards to design matters to allow personal choice where it does not undermine the character or appearance of the surrounding area.

In this case, the property is not a protected building, nor is it situated within a Conservation Area. Moreover, the property is located at the end of a small terrace located on La Mare Estate, which itself is setback from the main road (La Rocquette). Whilst the extension is likely to be glimpsed from public vantage points along La Rocquette, the degree of harm is not considered to be sufficient to rebut the general support in favour of householder development and therefore does not present sufficient grounds for refusal. Overall, the proposal achieves a high enough standard of design in terms of its scale, mass, siting and materials and together with the non-sensitive surroundings is sufficient to ensure that the proposal complies with Policy.

Careful consideration has been afforded to the effect of the development on the amenities of neighbouring residents. Due to the size, position and height of the proposed windows, the development will not result in overlooking.

It is acknowledged that the scale and position of the extension, is likely to result in some additional shadowing to neighbouring properties, particularly to the north, however the degree of additional shadowing is not considered to be so impactful that it would result in an unacceptable relationship between the development and neighbouring residents. The scale, form, orientation and distance between the proposed extension and neighbouring properties is such that it is unlikely to cause a significant adverse effect on the amenities of neighbouring residents. It is noted that the existing terrace already has a shadowing effect on the neighbouring property to the north, thereby the additional width of the extension is not considered to unduly compound this issue as the rear building line of the proposed extension is on the same plane as the existing terrace.

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, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

**Recommendation:**

Grant with Conditions



**Date:** 04/01/24

