

**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:** Alterations to fenestration of detached domestic outbuilding.

**LOCATION:** Azura, Le Grand Fort Road, St. Sampson.

**APPLICANT:** Mr T Taylor & Ms C Le Conte

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:** 03/06/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 26/04/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Courtillet Design: 23-783/08B & /09A.

**Application Ref:** FULL/2024/0772

**Property Ref:** B01087B000

**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 03/06/2027 unless development is commenced by that date.**

**ADVICE AND OTHER REMARKS:-**

For the avoidance of doubt, the existing domestic outbuilding/garage may be used as an integral part of and incidental to the principal dwelling presently known as Azura. The creation of a separately occupied annex or an independent dwelling 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/2024/0772  
**Property Ref:** B01087B000  
**Valid date:** 26/04/2024  
**Location:** Azura Le Grand Fort Road St. Sampson Guernsey GY2 4GZ  
**Proposal:** Alterations to fenestration of detached domestic outbuilding.  
  
**Applicant:** Mr T Taylor & Ms C Le Conte

**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.

## INFORMATIVES

For the avoidance of doubt, the existing domestic outbuilding/garage may be used as an integral part of and incidental to the principal dwelling presently known as Azura. The creation of a separately occupied annex or an independent dwelling 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 'Azura' is a mid-20<sup>th</sup> century bungalow which is set far back from and faces north onto Le Grand Fort Road. The access track to the football club and grounds is to the west and there are neighbouring properties to the south, east and across the road to the north. The property is located Outside of the Centres as defined in the Island Development Plan.

### Relevant History:

FULL/2023/2464 – Conversion of garage to south of main dwelling to separate dwelling – Withdrawn as located Outside of the Centres and footprint too small to meet current requirements.

FULL/2019/2097 – Alter and convert detached garage to create dower unit – Approved January 2020.

### Existing Use(s):

Residential use class 1: dwelling house.

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

no representation

☒

accords with policy

☒

within curtilage

☒

design acceptable

☒

visual amenity acceptable

☒

no material neighbour impact

☒

traffic not affected

☒

### Policies considered most relevant:

GP8: Design

GP9: Sustainable Development

## GP13: Householder Development

### **Conclusion/Brief comment:**

This application is to alter the fenestration of the detached garage in connection with the existing domestic outbuilding being utilised as additional, ancillary living accommodation/a dower unit. The garage door will be removed and a single door and window put in its place on the north elevation and an existing window will be changed to double doors and an additional window inserted on the east elevation.

The proposed dower unit will comprise a lounge, bedroom and bathroom. In support of the application the applicant's agent by letter (dated 24/04/24) has confirmed that the accommodation will be used for a purpose ancillary to the main use of the dwelling house. The letter confirms that the garden space, utilities and kitchen within the main dwelling will all be shared with the occupiers of the main dwelling.

The proposals are to create a guest suite for the main dwelling, with only the garage door and window to be changed and an additional window added. There will be no kitchenette or servery installed, meaning that it could not be used as a separate unit of accommodation.

The nature of use and facilities to be shared indicate that the additional accommodation would be subsidiary to and dependent upon the principal dwelling unit. In addition, the size and layout of the site and the relationship between the principal dwelling and the outbuilding would not enable the site to be easily subdivided without compromising the amenity of both the outbuilding and the principal dwelling.

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

The scale and massing of the proposals are not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will they 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 Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

**Recommendation:**

Grant with Conditions



**Date:** 03/06/2024

