

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 1.5 storey extension to east (side) elevation and alterations to fenestration.

LOCATION: Richmond Farm, The Dunes, Vazon, Castel.

APPLICANT: Mr & Mrs D Higgs

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: 13/02/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 24/12/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd - 6149/H/1

Application Ref: FULL/2025/0005

Property Ref: D00591A000

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.Notwithstanding the information submitted and in accordance with FULL/2023/0116, prior to the first use of the roof terrace/balcony (however named), a 1.8m high privacy screen glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) shall be installed along the west elevation of the roof terrace/balcony in the position shown on drawing ref: 6149/H/1. The privacy screen shall be retained as such in perpetuity.

Reason - To ensure that the privacy screen is appropriately installed in a timely manner to minimise the effect of the development on the privacy and amenities of nearby residents. The full-length dormer window hereby approved has the potential to enable access onto the existing roof terrace/balcony which could result in overlooking without the installation of a privacy screen, which is also required as part of approved application FULL/2023/0116.

5.The additional accommodation hereby permitted shall remain an integral part of and ancillary to the principal dwelling presently known as Richmond Farm. 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.

Reason - Due to the internal and external size, form, appearance and relationship to the original house, it is necessary and reasonable to attach a planning condition to this decision to ensure that the extension remains ancillary to the primary use of the dwelling-house (Richmond Farm) and does not become severed from that property to form an independent dwelling, unless planning permission is granted for such proposal.

Expiry Date: This permission will cease to have effect on 13/02/2028 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 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) 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/2025/0005
Property Ref: D00591A000
Valid date: 24/12/2024
Location: Richmond Farm The Dunes Vazon Vazon Castel Guernsey
Proposal: Erect 1.5 storey extension to east (side) elevation and alterations to fenestration.

Applicant: Mr & Mrs D Higgs

RECOMMENDATION - Grant: Planning Permission with Conditions:

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. Notwithstanding the information submitted and in accordance with FULL/2023/0116, prior to the first use of the roof terrace/balcony (however named),

a 1.8m high privacy screen glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) shall be installed along the west elevation of the roof terrace/balcony in the position shown on drawing ref: 6149/H/1. The privacy screen shall be retained as such in perpetuity.

Reason - To ensure that the privacy screen is appropriately installed in a timely manner to minimise the effect of the development on the privacy and amenities of nearby residents. The full-length dormer window hereby approved has the potential to enable access onto the existing roof terrace/balcony which could result in overlooking without the installation of a privacy screen, which is also required as part of approved application FULL/2023/0116.

5. The additional accommodation hereby permitted shall remain an integral part of and ancillary to the principal dwelling presently known as Richmond Farm. 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.

Reason - Due to the internal and external size, form, appearance and relationship to the original house, it is necessary and reasonable to attach a planning condition to this decision to ensure that the extension remains ancillary to the primary use of the dwelling-house (Richmond Farm) and does not become severed from that property to form an independent dwelling, unless planning permission is granted for such proposal.

OFFICER'S REPORT

Brief Description of the site:

The application site is situated behind the roadside properties which face towards Vazon Road. The site is situated Outside of the Centres as designated in the Island Development Plan.

The single storey flat extension to the rear of the dwelling, as approved under application ref: FULL/2021/2601, is under construction.

Planning permission is sought to vary the permission (FULL/2021/2601) by altering the fenestration at first floor level to form doors opening out onto a large balcony/ roof terrace. A 1.8m high obscure glazed screen is to be positioned towards the west of the balcony, in line with the west gable of the main house. The application also includes erecting a lean-to porch (7.7sqm) to the north (front) elevation of the dwelling.

Relevant History:

FULL/2023/0258	Change of use of agricultural land to domestic curtilage (1104 sq.m.).	Granted
FULL/2023/0116	Variations to previously approved plans to erect single storey flat roof extension to south (rear) elevation - Create balcony at 1st floor level, alterations to fenestration to rear and erect porch to north (front) elevation.	Granted
FULL/2022/0135	Erect shed to north boundary.	Granted
FULL/2021/2601	Erect single storey flat roof extension to south (rear) elevation.	Granted
FULL/2021/1030	Variation to plans previously approved to demolish out-buildings and erect dwelling, erect earthbank and gate - omit Juliet balcony and alterations to fenestration.	Granted
FULL/2020/1785	Demolish out-buildings and erect dwelling, erect earthbank and gate (revised scheme).	Granted
FULL/2019/2591	Demolish out-buildings and erect dwelling and change of use of agricultural land to domestic garden.	Granted
FULL/2019/0801	Conversion of outbuilding to dwelling, erect flat roof extension to east elevation and creation of earthbank.	Granted

Existing Use(s):

Residential – 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:

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.

The proposed position of the extension is well related to the original house by virtue of its position, and will serve as the principal access point to the property when taking into account its design, by virtue of the full-height glazed gable. This acts as the main and focal entrance point.

The proposal achieves a good standard of design (Policy GP8 – Design) with regards to its siting, form and materiality. The extension is considered in keeping with the rear built form of the surrounding area and due to its position the proposal will not be highly visible in public views.

However, some concerns are raised over the scale and mass of the extension which is similar to the original house (FULL/2020/1785), and therefore some concerns are raised over the size of the extension when viewed in context with the original house. However, given that the original house was extended to the south in 2022 (FULL/2021/2601) and is now features a large single storey flat roof extension, the proposed extension would be subservient, proportionate and ancillary to the existing structure for the purposes of Policy GP8 and GP13.

Moreover the size of the accommodation together with its form and appearance could comprise a dwelling-house on its own accord, although given that; the extension is connected to the main house at ground and first floor level, the principal access of the property now features as part of the proposed extension, and that the close proximity and intervisibility issues between the two structures is such, that it would be difficult to subdivide the property in two.

Overall, some concerns are raised over the size and potential functionality of the structure, however the proposal is regarded as being ancillary to the original house for the purposes of Policy GP8 and GP13 when read in the context with the property as a whole. It is however necessary and reasonable to attach a planning condition in respect of the use of the extension.

Neighbour amenity issues have been carefully considered although the proposed extension is unlikely to cause any unacceptable harm. It is necessary and reasonable to attach a planning condition in respect of the approved privacy screen which was required as part of application FULL/2023/0116. The proposed full length dormer window as part of this application would enable access onto the approved balcony/terrace and would result in overlooking. In this regard, the privacy screen as approved as part of FULL/2023/0116 would need to be installed prior to the first use of the balcony which could occur as a result of approving this application.

It is recognised that the approved full-height dormer windows as part of the main house have not been installed, although the agent has implied on the drawings that this is likely to be carried out in the future.

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: 10/02/25