

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 and 1.5 storey extension with raised terrace area to north (side) elevation, enlarge and alter dormer windows to west (front) elevation and alterations to fenestration.

LOCATION: Le Reve, La Route De Blanches, St. Martin.

APPLICANT: Mr & Mrs Smith

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: 21/03/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 03/02/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: App: 002, 003-A & 004-A.

Application Ref: FULL/2025/0036

Property Ref: J01755A000

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.The extension hereby approved shall be used as an integral part of and incidental to the principal dwelling presently known as Le Reve, and shall not be used as a separately occupied annex or an independent dwelling.

Reason - To ensure the development is carried out only as hereby approved and to prevent the independent use of the accommodation, which would require different planning policy considerations.

5.No cladding to be used on the exterior of the extension as hereby approved shall be placed on the site until such time as samples of the material in its finished form has been submitted to the Authority. Only the cladding material and any agreed finish agreed in writing by the Authority shall be used in carrying out the development.

Reason - To secure the satisfactory appearance of the completed development.

Expiry Date: This permission will cease to have effect on 20/03/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Please note the wing accommodation as shown on the approved drawings shall only be used for purposes incidental and ancillary to the main dwelling house presently known as Le Reve and shall not form 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 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/2025/0036
Property Ref: J01755A000
Valid date: 03/02/2025
Location: Le Reve La Route De Blanches St. Martin Guernsey GY4 6AE
Proposal: Erect single storey and 1.5 storey extension with raised terrace area to north (side) elevation, enlarge and alter dormer windows to west (front) elevation and alterations to fenestration.

Applicant: Mr & Mrs Smith

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. The extension hereby approved shall be used as an integral part of and incidental to the principal dwelling presently known as Le Reve, and shall not be used as a separately occupied annex or an independent dwelling.

Reason - To ensure the development is carried out only as hereby approved and to prevent the independent use of the accommodation, which would require different planning policy considerations.

5. No cladding to be used on the exterior of the extension as hereby approved shall be placed on the site until such time as samples of the material in its finished form has been submitted to the Authority. Only the cladding material and any agreed finish agreed in writing by the Authority shall be used in carrying out the development.

Reason - To secure the satisfactory appearance of the completed development.

INFORMATIVES

Please note the wing accommodation as shown on the approved drawings shall only be used for purposes incidental and ancillary to the main dwelling house presently known as Le Reve and shall not form a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a large two storey dwelling house situated to the north of Route Des Blanches. Surrounding the site the area comprises residential dwellings in all directions.

The site is situated Outside of the Centres as designated in the Island Development Plan. The property to the south, Les Blanches, is a protected building.

Relevant History:

None relevant

Existing Use(s):

Residential – Use Class 1

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:

Planning permission is sought to erect a single storey and 1.5 storey extension with raised terraced area to the north (side) of the existing dwelling and to enlarge and alter existing dormer windows to the front and alterations to existing fenestration.

The proposed alterations are of an appropriate scale, mass and form so as not to detract from the surrounding area. Given the position of the property set back from the main road, and positioned gable to the road, the alterations proposed will not negatively impact on the appearance of that area. The design of the proposal and the materials to be used will match the existing dwelling, in-keeping with the character and appearance of the surrounding area. However, to ensure that the proposed composite timber cladding is acceptable, it is recommended that a condition is included for a sample to be submitted and approved by the Authority.

The majority of the windows will be at ground floor level and the existing boundary screening is sufficient to prevent views extending into the garden areas of neighbouring properties. Although a glazed element is proposed at first floor level that will serve the proposed new guest room, this has been positioned to face west into the garden area of the application site and circa 13m from the boundary shared with the neighbouring property in this direction (Apache), sufficient distance to maintain privacy. With regards to the properties to the north given that any views from this window into the garden area of these properties would be at an oblique angle and the distances involved, it is considered that any harm would not be so substantial to warrant the refusal of planning permission. The proposal will also not have any significant impact on neighbouring properties with regard to the loss of sunlight or daylight. The scheme therefore accords with policies GP8 and GP9 of the IDP in this respect.

The plans show that wing accommodation will be formed at ground floor in an existing part of the main dwellinghouse. Provided that the wing accommodation remains ancillary to the main use of the dwellinghouse it does not require planning permission in its own right.

Notwithstanding the above, as a result of the proposed extension to the main dwelling (comprising a new kitchen, utility room, shower room, games room and guest room), both the proposed extension and the wing accommodation comprise a level of accommodation that could easily be used to form separate independent units of accommodation which would require different policy considerations and would be precluded in an Outside of Centre location such as this. The application was therefore deferred to seek additional information from the applicant to confirm how the site will be used and to ensure that it will remain as a single residential dwelling.

By letter (dated 14/03/2025) the applicants confirmed that the house is jointly owned in three equal shares between the applicants and one of their parents. The letter confirms that the main dwelling and the extension will be used by the applicants and their two children and that the wing accommodation will be used by a parent (one of the joint owners of the property) for a purpose ancillary to the main dwelling, with the intention of providing multi-generation living within one household. The letter confirms that an internal door will remain, connecting the main dwelling to the wing accommodation and that the garden space, utilities and storage within the main dwelling will all be shared with the occupier of the wing accommodation.

The relationship between the occupiers and the principal dwelling, 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, the extension and the wing accommodation would not enable the site to be easily subdivided without compromising residential amenity.

It is recommended that for the avoidance of any doubt a condition is included on any permission to ensure that the accommodation provided remains ancillary to the main dwellinghouse.

Given that the existing dwelling will obscure any views of the proposed extension from the protected building to the south, the proposal would not cause any harm to its setting.

Confirmation has been received that the proposed development has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

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 application is acceptable in relation to the above policies and other material planning considerations.

Recommendation:

Grant with Conditions



Date: 20/03/2025

