

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 single storey extension with raised terrace area to north (rear) elevation, remove hedge, erect fence/gate and widen vehicle access to east boundary.

LOCATION: 3 Lilydale Cottage, Rue Des Varendes, St. Andrew.

APPLICANT: Mr S King & Miss J M Hunter-Hughes

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: 12/03/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/02/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Turnstone Design - 413-10 Rev P2.

Application Ref: FULL/2025/0157

Property Ref: K000260000

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 the terrace located to the rear (north) of the hereby approved extension being brought into first use, the 1700mm high privacy screen as shown on the approved drawings, shall be glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) and shall thereafter be retained at all times.

Reason - To protect the amenities of neighbouring residents.

Expiry Date: This permission will cease to have effect on 11/03/2028 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/2025/0157
Property Ref: K000260000
Valid date: 07/02/2025
Location: 3 Lilydale Cottage Rue Des Varendes St. Andrew Guernsey
GY6 8TF
Proposal: Demolish extension, erect single storey extension with raised terrace area to north (rear) elevation, remove hedge, erect fence/gate and widen vehicle access to east boundary.
Applicant: Mr S King & Miss J M Hunter-Hughes

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).

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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.

4. Prior to the terrace located to the rear (north) of the hereby approved extension being brought into first use, the 1700mm high privacy screen as shown on the approved drawings, shall be glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) and shall thereafter be retained at all times.

Reason - To protect the amenities of neighbouring residents.

OFFICER'S REPORT

Brief Description of the site:

The application site known as No. 3 Lilydale Cottage consists of a traditional, end of terrace dwelling-house located on a corner plot. The property faces onto Rue Des Varendes to the south, and is bounded by a highway the east serving several other properties and Les Varendes High School beyond.

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

Planning permission was originally sought to demolish existing and erect a replacement single storey extension with a raised terrace area to the north (rear) elevation. It was also proposed to remove a boundary hedge and erect fencing and widen vehicle access to the east boundary.

The application was deferred as concerns were raised over the replacement fence along the entire east boundary given its length and impact it would have on the character and appearance of the locality. Some concerns were also raised over the raised terrace area serving the new extension and its potential for overlooking given its close proximity to the neighbouring property.

In response, the agent has reduced the extent of fencing and has incorporated a 1.7m high privacy screen along the western edge of the terrace area.

Relevant History:

FULL/2018/2457	Remove section of hedging (retrospective).	Granted
FULL/2010/1268	Install 3 rooflights on north east (rear) elevation and replace windows	Granted

Existing Use(s):

Residential

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:

GP1 Landscape Character and Open Land
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 principal aim of the Island Development Plan is to help maintain and create a socially inclusive, healthy and economically strong Island, while balancing these objectives with the protection and enhancement of Guernsey's built and natural environment and the need to use land wisely.

Policy GP13 is generally supportive of proposals for domestic extensions, alterations and other such householder development, unless material considerations indicate otherwise or conflicts with other Plan policies or the States strategic objectives are identified.

The proposed extension represents a reasonable sized addition to the property, is subservient and proportionate, and adopts a good standard of design by virtue of its scale, form, massing, siting and materials.

Due to its scale, size, relationship to the original house, and neighbouring development, the proposal is not considered to have a detrimental impact on the character of the area or visual amenity that would be substantial enough to justify refusal.

When taking into account the siting of the extension, terrace and external stair together with its close proximity to the east boundary, the removal of a section of the boundary hedge and replacement boundary fence is considered necessary and reasonable in this particular circumstance, despite their being some harm to visual amenity.

Whilst the extension is likely to impact the neighbouring residents to the west with regards to overshadowing during the early hours of the morning, this effect is not considered to be significant when taking into account its scale, and relationship to the neighbouring property to the west together with the limited hours of shadowing.

The agent has also included a privacy screen along the western edge of the terrace area to respect the amenities of neighbouring residents. An appropriate condition should be attached to the decision.

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: 10/03/25