

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: Rebuild wall to west of property and create gated pedestrian access (part retrospective)

LOCATION: Maisaon Muchi, Les Courtes Fallaize, St. Martin.

APPLICANT: Mr J Wix

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: 01/04/2025

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: SOUP Architects Ltd: 384_640 (C01)

Application Ref: FULL/2025/0192

Property Ref: J015380000

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 details shown on the approved plans, the approved erection of the replacement wall to the west of the dwelling shall be finished externally in stone of a colour, type, texture and method of laying to match the existing exterior of the dwelling.

Reason - In the interests of residential and neighbouring amenity.

Expiry Date: This permission will cease to have effect on 31/03/2028 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/2025/0192
Property Ref: J015380000
Valid date: 03/02/2025
Location: Maisaon Muchi Les Courtes Fallaize St. Martin Guernsey GY4 6DH
Proposal: Rebuild wall to west of property and create gated pedestrian access (part retrospective)

Applicant: Mr J Wix

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 details shown on the approved plans, the approved erection of the replacement wall to the west of the dwelling shall be finished externally in stone of a colour, type, texture and method of laying to match the existing exterior of the dwelling.

Reason - In the interests of residential and neighbouring amenity.

OFFICER'S REPORT

Brief Description of the site:

The site is located at the junction of Le Courtillet and Les Courtes Fallaizes in St Martin. The main dwelling has several approvals for extensions and works are currently being undertaken on site.

The building is pre-1900 and the site is located Outside the Centre as designated in the Island Development Plan.

The site visit revealed that the wall in which the pedestrian gate is proposed has already been demolished with no consent for these works, the proposal therefore also includes the rebuilding of the wall. For this reason, the proposal is considered to include retrospective works.

Relevant History:

FULL/2025/0311	Demolish section of wall to create temporary vehicle access to west boundary (retrospective)	Under consideration
FULL/2024/1297	Extend at lower ground floor and ground floor levels to south (rear) elevation	Granted 27/08/2024
FULL/2021/2387	Extend at lower ground floor and ground floor levels to south (rear) elevation	Granted 15/12/2021
FULL/2021/0064	Extend dwelling at lower ground floor and ground floor level and install rooflights on west (side) elevation.	Granted 19/02/2021
FULL/2013/0150	Demolish existing and erect replacement dwelling.	Granted 18/03/2013
FULL/2012/2320	Demolish existing and erect replacement dwelling - revised.	Refused 11/12/2012

Existing Use(s):

01 Dwellinghouse

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:

The proposed pedestrian gate is not exempt work due to its position closer to the highway than the dwelling but is a small-scale domestic alteration which is acceptable under Policy GP13.

The replacement of the wall will be conditioned to ensure it matches the existing wall as closely as possible, due to its visual interest and in accordance with Policy GP8. The position of the wall is such that there are no impacts on highway safety.

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: 31/03/2025

