

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: Variations to previously approved plans (FULL/2024/0456) to Demolish dwelling and garage and erect 6 dwellings and associated works, alterations to roadside boundary to alter vehicle accesses (revised scheme) - Erect single storey extension to south elevation and materials changes to unit 6 including removal of chimney; and materials changes to units 1-5.

LOCATION: Demie Shard, Rue De La Mare, St. Sampson.

APPLICANT: Mr M Bougourd

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: 16/04/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/02/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: MAT Limited - 22-248-01D, 02C, 03C, 04C, 05C, 06C, 07C.

Application Ref: FULL/2025/0241

Property Ref: B004480000

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 on or before 31/04/2027.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2024/0456.

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 01st May 2024, issued under planning application reference FULL/2024/0456, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

Expiry Date: This permission will cease to have effect on 15/04/2028 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/2025/0241
Property Ref: B004480000
Valid date: 13/02/2025
Location: Demie Shard Rue De La Mare St. Sampson Guernsey GY2 4PG
Proposal: Variations to previously approved plans (FULL/2024/0456) to Demolish dwelling and garage and erect 6 dwellings and associated works, alterations to roadside boundary to alter vehicle accesses (revised scheme) - Erect single storey extension to south elevation and materials changes to unit 6 including removal of chimney; and materials changes to units 1-5.

Applicant: Mr M Bougourd

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 on or before 31/04/2027.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2024/0456.

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 01st May 2024, issued under planning application reference FULL/2024/0456, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

OFFICER’S REPORT

Brief Description of the site:

The site is currently occupied by a detached dwelling and garage, with a garden that extends to the rear and wraps around the neighbour to the east. Part of the site is residential curtilage for Demie Shard, and part of the site is agricultural, as a redundant glasshouse site.

The site is located within the Main Centre Inner Boundary, as designated by the Island Development Plan.

Relevant History:

FULL/2024/0456- Demolish dwelling and garage and erect 6 dwellings and associated works, alterations to roadside boundary to alter vehicle accesses. Approved 1/5/2024

Existing Use(s):

01 - Residential Dwelling
28 – Agricultural land

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

MC2 – Housing in Main Centres and Main Centre Outer Areas

GP8 – Design

GP9 – Sustainable Development

GP15- Extension of Curtilage

Conclusion/Brief comment:

The original application, FULL/2024/0456, approved 5 x two-bedroom dwellings, 1.5 storey dwellings and 1 x single storey, one bedroom dwelling, with shared driveway access and central bike and communal bin store to serve the dwellings. The variation now proposed includes the erection of a single storey extension to the south elevation of unit 6, and other alterations to all units, including internal works.

The originally submitted variation included the removal of the chimneys from all units; however, this has been revised to retain the chimneys, due to officer concerns regarding the impact on the balance and proportions of the design of the 1.5 storey units. The removal of the chimney from unit 6 only is now proposed and is acceptable in terms of the impact on the design of the unit and the character of the area.

The proposed single storey extension to Unit 6 results in the provision of a second bedroom for the previously one bed unit, and the proposed reconfiguration of the internal accommodation allows for the provision of a third bedroom for each of the 1.5 storey dwellings (Units 1-5) which were previously 2 bed units. These changes, are acceptable overall in terms of Policy MC2.

The removal of the proposed granite frontage to Units 1 and 2 and replacement with smooth render reduces the architectural interest of the dwellings and is disappointing but given the flexibility of design afforded by the IDP, there is not a significant impact which would warrant the refusal of this aspect of the scheme.

The single storey extension is located close to the boundary with the neighbouring property, but the small-scale nature will ensure there is no harmful impact on the neighbouring dwelling.

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: 28/03/2025

