

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: Extend and alter roof to create first floor extension, erect single storey extensions to west (rear) and south (side) elevations, alterations to fenestration, demolish shed and erect detached 1.5 storey garage/store to south of dwelling (Revised Scheme).

LOCATION: Le Clos D'Hy, Les Mourants Road, St. Martin.

APPLICANT: Mr & Mrs M Le Patourel

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: 20/03/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 19/02/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTECH: MM-25-2223-02D & 03C.

Application Ref: FULL/2025/0250

Property Ref: J007550000

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 shed to be removed shall be demolished prior to the construction of the hereby approved garage/store.

To ensure vehicular access to the agricultural land is retained.

5.For the avoidance of doubt, this decision permits the proposed garage/store to be used only for purposes incidental to the enjoyment of the dwelling house, unless in accordance with a use permitted under the Land Planning and Development (Exemptions) Ordinance, 2023 or any other Ordinance replacing or re-enacting that Ordinance.

Reason - To define the permission for the avoidance of any doubt and to clarify that any other use would require a separate grant of planning permission and involve different planning policy considerations.

Expiry Date: This permission will cease to have effect on 19/03/2028 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/2025/0250
Property Ref: J007550000
Valid date: 19/02/2025
Location: Le Clos D'Hy Les Mourants Road St. Martin Guernsey GY4 6TW
Proposal: Extend and alter roof to create first floor extension, erect single storey extensions to west (rear) and south (side) elevations, alterations to fenestration, demolish shed and erect detached 1.5 storey garage/store to south of dwelling (Revised Scheme).

Applicant: Mr & Mrs M Le Patourel

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 shed to be removed shall be demolished prior to the construction of the hereby approved garage/store.

To ensure vehicular access to the agricultural land is retained.

5. For the avoidance of doubt, this decision permits the proposed garage/store to be used only for purposes incidental to the enjoyment of the dwelling house, unless in accordance with a use permitted under the Land Planning and Development (Exemptions) Ordinance, 2023 or any other Ordinance replacing or re-enacting that Ordinance.

Reason - To define the permission for the avoidance of any doubt and to clarify that any other use would require a separate grant of planning permission and involve different planning policy considerations.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested for a revised scheme to extend and alter the roof to create a first-floor extension to the rear (west) involving a double pitched roof with a flat roof infill, erect single storey extensions to the rear (west) and side (south) elevations and alterations to fenestration. Permission is also sought to demolish a shed and to erect a 1½ storey detached pitched roof garage and store to the south of the dwelling. The extended dwelling is proposed to be finished with a mix of rendered and timber clad walls, aluminium fenestration and a natural slate roof.

The eastern section of the site comprises of a traditional detached cottage with associated domestic land and detached agricultural barns/outbuildings. The western section of the site comprises an area of agricultural land. The site is located within an Agriculture Priority Area and is Outside of the Centres.

Relevant History:

07/02/2025 – PREA/2025/0153 – Pre-application advice regarding extension and alteration to dwelling and erect garage/outbuilding.

06/06/2024 – CLU/2024/0111 – Certificate of Lawful Use refused to regularise use of land as a domestic garden and for purposes incidental to the occupation and enjoyment of Le Clos D'hy (Residential use class 1). PAP/006/2024 Appeal dismissed 06/06/2024.

08/11/2023 – FULL/2023/1219 – Application refused to extend and alter roof to create first floor extension, erect single storey extensions to west (rear) and south (side) elevations, alterations to fenestration, erect detached garage/store to south of dwelling and change of use from agricultural land to domestic garden (1,592qm).

Existing Use(s):

Eastern section of site - Residential use class 5: use of part of dwelling for business purposes

Western section of site – Agriculture use class 28

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:

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP13: Householder Development

Conclusion/Brief comment:

An application was refused for a similar extension in November 2023 (FULL/2023/1219) on account that the extension extended beyond the existing domestic curtilage. This current application is for a revised scheme and includes a reduction in the footprint of the extension. The entire proposed extension is now located within the recognised domestic curtilage.

The scale and design of the extended dwelling and the detached garage and store achieves a satisfactory standard of design and would have no significant adverse effects on the character and appearance of the area.

Provided that vehicular access to the agricultural land to the western section of the site is retained the proposal would result in no loss of agricultural land.

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.

It is recommended that the application is approved.

Recommendation:
Grant with Conditions



Date: 20/03/2025

