

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 section of wall to create temporary vehicle access to west boundary (Retrospective).

LOCATION: Maisaon Muchi, Les Courtes Fallaizes, 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 26/02/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Soup Architects - 384_009 (C01)

Application Ref: FULL/2025/0311

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 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.

3. Within 3 months of the date of this permission full details of the 3.3m section of wall to be erected along the west boundary of the property shall have been submitted to the Authority for approval. The details required should include full dimensions, and materials details including the type, colour, texture and method of laying of stone to match the existing wall.

Reason - The permanent removal of the wall would cause harm in terms of the overall appearance and character of the area and would therefore be contrary to Policy GP13 and GP8.

4. Within 3 months of the grant of this permission, a landscaping scheme to include details of proposed planting to be undertaken behind the replacement wall, along with the size, number and density of the plants/trees shall be submitted to by Planning Authority and shall then be agreed in writing.

Reason - The permanent removal of the landscaping would cause harm in terms of the overall appearance and character of the area and would therefore be contrary to Policy GP13 and GP8.

5. Permission is hereby granted for a temporary period and the section of wall hereby approved to be removed shall be reinstated in accordance with the details approved under condition 3 on or before 30th September 2025.

Reason - The permanent removal of the wall would cause harm in terms of the overall appearance and character of the area and would therefore be contrary to Policy GP13 and GP8.

6. The landscaping details approved under condition 4 shall also be implemented, in order to reinstate the land to the condition it was in prior to the retrospective works being undertaken, within the first planting season following this grant of permission. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - The permanent removal of the wall would cause harm in terms of the overall appearance and character of the area and would therefore be contrary to Policy GP13 and GP8.

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/2025/0311
Property Ref: J015380000
Valid date: 26/02/2025
Location: Maisaon Muchi Les Courtes Fallaizes St. Martin Guernsey
GY4 6DH
Proposal: Demolish section of wall to create temporary vehicle access to
west boundary (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 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.

3. Within 3 months of the date of this permission full details of the 3.3m section of wall to be erected along the west boundary of the property shall have been submitted to the Authority for approval. The details required should include full dimensions, and materials details including the type, colour, texture and method of laying of stone to match the existing wall.

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Reason - The permanent removal of the landscaping would cause harm in terms of the overall appearance and character of the area and would therefore be contrary to Policy GP13 and GP8.

5. Permission is hereby granted for a temporary period and the section of wall hereby approved to be removed shall be reinstated in accordance with the details approved under condition 3 on or before 30th September 2025.

Reason - The permanent removal of the wall would cause harm in terms of the overall appearance and character of the area and would therefore be contrary to Policy GP13 and GP8.

6. The landscaping details approved under condition 4 shall also be implemented, in order to reinstate the land to the condition it was in prior to the retrospective works being undertaken, within the first planting season following this grant of permission. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - The permanent removal of the wall would cause harm in terms of the overall appearance and character of the area and would therefore be contrary to Policy GP13 and GP8.

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 proposal is for the retrospective removal of a section of the wall to the west boundary until September 2025 in order to facilitate a temporary vehicle access.

Relevant History:

FULL/2025/0192	Rebuild wall to west of property and create gated pedestrian access (part-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 removal of the wall to allow for site access during construction works are acceptable in principle under Policy GP13 which allows for domestic works to dwellings where there is no harm to the character of the area.

The temporary consent for the removal and its reinstatement of the wall and land, which will be secured by condition, will ensure that there is no permanent harm to the character of the area.

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

