

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: Erect 1.5 storey detached outbuilding/garage/ancillary accommodation to west of property. Alterations to fenestration of dwelling.

LOCATION: Leadwood House, Mount Durand, St. Peter Port.

APPLICANT: Mr & Mrs P Burton

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: 29/04/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/04/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Birch Renovations: 200A, 210, 211B, 212C, 213B, 214B, 215 & 216.

Application Ref: FULL/2025/0449

Property Ref: A403780000

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.

Expiry Date: This permission will cease to have effect on 28/04/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the erection of a detached outbuilding/garage to be used as an integral part of and incidental to the principal dwelling presently known as Leadwood House. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

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/2025/0449
Property Ref: A403780000
Valid date: 04/04/2025
Location: Leadwood House Mount Durand St. Peter Port Guernsey
GY1 1DX
Proposal: Erect 1.5 storey detached outbuilding/garage/ancillary
accommodation to west of property. Alterations to
fenestration of dwelling.

Applicant: Mr & Mrs P Burton

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.

INFORMATIVES

For the avoidance of doubt, this decision permits the erection of a detached outbuilding/garage to be used as an integral part of and incidental to the principal dwelling presently known as Leadwood House. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Leadwood' is an early 20th century detached two storey dwelling which is located behind the ribbon development south of Mount Durand. The property to the north is now a retirement home, with the vehicular access to Leadwood running along the west side entering the site in the northwest corner, and there are neighbouring protected buildings to the west, northwest and northeast. Prince Albert Road runs along the south boundary at a lower level. The property is located in the St Peter Port Main Centre Outer Area, Conservation Area and is within an Important Open Land area as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

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:

MC1: Important Open Land in Main Centres and Main Centre Outer Areas
GP4: Conservation Areas
GP5: Protected Buildings
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:

This application is to erect a one and a half storey detached timber garage with ancillary living unit above, located to the west of the main dwelling. Alterations are also proposed to the fenestration of the main dwelling. Various other works shown on the drawings represent exempt development and do not require planning permission, including replacement roof coverings, rooflights, removal of a chimney stack, alterations to a porch and insulating render.

The changes to the main dwelling are minimal and altering some of the window sizes is also considered appropriate and acceptable.

The property site is within an area of Important Open Land, which is regulated by Policy MC1. This outlines that householders will have flexibility in planning for extensions and other forms of domestic development within residential curtilage. The policy also states that any new development will only be supported where there is no significant adverse impact on the openness, visual quality or landscape character of the Important Open Land.

The new structure will be located at the end of the long driveway facing north. The driveway is on a slope from the road down to the site, where the house and new garage are before the rest of the site slopes down to the south. The land is covered with mature planting and there are distant views over the top of the other side of the valley.

A site visit of the surrounding area found that there are extremely limited views to the site and the area where the new structure is to be located cannot easily be seen. Therefore, it is concluded that the proposed garage would not have an adverse impact on the openness, visual quality or landscape character of the Important Open Land.

The new timber outbuilding is not considered to have any detrimental impacts on the character and appearance of the surrounding conservation area, nor will it affect any neighbour amenity. The outbuilding is not considered to have any impacts on the setting of the nearby protected buildings.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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: 29/04/2025

