

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 with raised terrace area to east of dwelling.

LOCATION: Richmond Farm, The Dunes, Vazon Road, Castel.

APPLICANT: Mr & Mrs D Higgs

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: 17/07/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 28/04/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 6149/D/1b.

Application Ref: FULL/2025/0504

Property Ref: D00591A000

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 landscaping scheme shall be fully completed, in accordance with drawing number 6149/D/1b in the first planting season (October - March) following the grant of this permission and by 31/03/2026, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting, shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - The siting of the outbuilding hereby approved has affected the landscaping scheme approved under application FULL/2023/0258. Not all of the landscaping approved under application FULL/2023/0258 has been implemented therefore this condition ensures that the biodiversity enhancement measures secured are carried out within a reasonable timeframe given that the change of use of land has been implemented.

5.For the avoidance of doubt, this decision permits the proposed garage/store, however named, to be used only for purposes incidental to the enjoyment of the dwelling house. It does not permit the creation of a separately occupied annex or an independent dwelling, or for use in connection with a trade or business, 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 clearly define the permission and to avoid any ambiguity due to the size and functional use of the outbuilding. Any separate use of the building may require a separate grant of planning permission and involve different planning policy considerations.

Expiry Date: This permission will cease to have effect on 16/07/2028 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/2025/0504
Property Ref: D00591A000
Valid date: 28/04/2025
Location: Richmond Farm The Dunes Vazon Road Castel Guernsey
GY5 7LH
Proposal: Erect 1.5 storey detached outbuilding/garage with raised
terrace area to east of dwelling.

Applicant: Mr & Mrs D Higgs

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 landscaping scheme shall be fully completed, in accordance with drawing number 6149/D/1b in the first planting season (October - March) following the grant of this permission and by 31/03/2026, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting, shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - The siting of the outbuilding hereby approved has affected the landscaping scheme approved under application FULL/2023/0258. Not all of the landscaping approved under application FULL/2023/0258 has been implemented therefore this condition ensures that the biodiversity enhancement measures secured are carried out within a reasonable timeframe given that the change of use of land has been implemented.

5. For the avoidance of doubt, this decision permits the proposed garage/store, however named, to be used only for purposes incidental to the enjoyment of the dwelling house. It does not permit the creation of a separately occupied annex or an independent dwelling, or for use in connection with a trade or business, 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 clearly define the permission and to avoid any ambiguity due to the size and functional use of the outbuilding. Any separate use of the building may require a separate grant of planning permission and involve different planning policy considerations.

OFFICER'S REPORT

Brief Description of the site:

The application site is situated behind the roadside properties which face towards Vazon Road. The site is situated Outside of the Centres as designated in the Island Development Plan.

The whole site is recognised as domestic curtilage. Planning application, FULL/2023/0258, involved a change of use of agricultural land to domestic curtilage. The application included a landscaping scheme as part of the permission to accord with the Strategy for Nature (2020). It is understood that part of the landscaping scheme has been implemented.

Planning permission was granted earlier this year (2025) to erect a 1.5 storey extension to the side (east) of the dwelling.

Planning permission is now sought to erect a 1.5 storey detached outbuilding/garage with a raised terrace area to the east elevation of the dwelling. It is stated on the application form that the floor area of the outbuilding is 90sqm.

The application was deferred over the general design of the outbuilding and the partial omission of the landscaping scheme as approved under FULL/2023/0258. The agent has amended the design of the outbuilding to improve the fenestration and solid-to-void ratio, has shifted the external stair to the west elevation to improve the relationship and dependency on the main dwelling, and has included a landscaping scheme to reflect that approved under FULL/2023/0258.

Relevant History:

FULL/2025/0005	Erect 1.5 storey extension to east (side) elevation and alterations to fenestration.	Granted
FULL/2023/0258	Change of use of agricultural land to domestic curtilage (1104 sq.m.).	Granted
FULL/2023/0116	Variations to previously approved plans to erect single storey flat roof extension to south (rear) elevation - Create balcony at 1st floor level, alterations to fenestration to rear and erect porch to north (front) elevation.	Granted
FULL/2021/2601	Erect single storey flat roof extension to south (rear) elevation	Granted
FULL/2021/1030	Variation to plans previously approved to demolish out-buildings and erect dwelling, erect earthbank and gate - omit juliet balcony and alterations to fenestration.	Granted
FULL/2020/1785	Demolish out-buildings and erect dwelling, erect earthbank and gate (revised scheme).	Granted

Existing Use(s):

Residential

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:

GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Conclusion/Brief comment:

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.

In light of the amendments secured, the outbuilding proposed is large but is related well enough to the host dwelling to not cause concern over the relationship and association.

The pitched roof, finished in natural slate, timber clad exterior with a brick plinth, achieves a good enough standard of design when taking into account the modifications to the fenestration to the south and west elevations. The changes to the fenestration help to balance and provide symmetry to the structure and improves its solid-to-void ratio.

The external staircase positioned on the west elevation improves its association and relationship with the host dwelling, as opposed to being located on the east elevation which would be at some distance away from the dwelling-house.

Consequently, the siting of the structure is reasonable and logical and coupled with its overall design and appearance, achieves a satisfactory standard of design for the purposes of Policy GP8.

It is however reasonable and necessary to attach a condition to the design to ensure the structure remains incidental to the host dwelling and does not form a separately occupied annex or an independent dwelling, or for use in connection with a trade or business, unless in accordance with a use permitted under the Land Planning and Development (Exemptions) Ordinance, 2023.

It is also reasonable and necessary to impose a planning condition relating to the landscaping scheme shown on the revised drawings to ensure that it is carried out in a reasonable timeframe given that the change of use of agricultural land to domestic curtilage has already been implemented. Moreover, the siting of the proposed outbuilding has affected the landscaping scheme approved under application FULL/2023/0258 and not all of the landscaping approved under application FULL/2023/0258 has been implemented. The condition is therefore necessary to ensure that the biodiversity enhancement measures secured are carried out.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 15/07/25