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: Variation to previously approved plans (FULL/2022/1957) to demolish existing outbuilding and erect residential dwelling with associated landscaping and parking - Additional windows to east elevation, corrections and alterations to floor levels shown on plans, and addition of a raised patio area to east elevation. (Retrospective).

LOCATION: La Cachette, Rue Des Mares, St. Pierre Du Bois.

APPLICANT: AH Developments Ltd

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: 21/08/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/05/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture Ltd. 2233/02.01G, 02.02F.

Application Ref: FULL/2025/0783

Property Ref: F00294A000

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 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 23/05/2023, issued under planning application reference FULL/2022/1957, 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 20/08/2028 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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2025/0783
Property Ref:	F00294A000
Valid date:	13/05/2025
Location:	La Cachette Rue Des Mares St. Pierre Du Bois Guernsey GY7 9PZ
Proposal:	Variation to previously approved plans (FULL/2022/1957) to demolish existing outbuilding and erect residential dwelling with associated landscaping and parking - Additional windows to east elevation, corrections and alterations to floor levels shown on plans, and addition of a raised patio area to east elevation. (Retrospective).
Applicant:	AH Developments Ltd

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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).

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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 23/05/2023, issued under planning application reference FULL/2022/1957, 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 application site is located to the east of Rue de la Claire Mare, and was previously occupied by a single storey, rendered, block-built former horticultural building, positioned at the rear (north) of the site and accessed from Claire Mare Lane over an area of hardstanding. This has now been demolished and works have commenced on the new dwelling.

There is an existing rockface which runs from the south and across the east of the site and rises in height up to approx. 3.5m in height.

The site is surrounded by residential properties to the north, east, south and west. A low boundary wall separates the site from the neighbour to the west.

The site is located Outside of the Centres and is the subject of no other designation under the Island Development Plan.

Relevant History:

FULL/2021/2258 – Extend and convert former horticultural building to create residential dwelling and change of use of agricultural land to create domestic garden and parking area.
Approved 01/04/2022

FULL/2022/1957- Demolish existing outbuilding and erect residential dwelling with associated landscaping and parking.
Approved 23/05/2023

FULL/2024/0674- Variation to previously approved plans (FULL/2022/1957) to demolish existing outbuilding and erect residential dwelling with associated landscaping and parking - Reposition dwelling on the site, omit 1st floor terrace and alterations to fenestration and landscaping.
Approved 30/05/2024

Existing Use(s):

28 Agriculture

Policies considered most relevant:

OC1 – Housing Outside of the Centres
GP8 – Design
GP9 – Sustainable Development
GP15 – Creation and Extension of Curtilage
GP16(B) – Conversion of Redundant Buildings- Demolition and Redevelopment

Representations:

Representations received from three neighbours, summarised as follows:

- Address given on application is incorrect, and should relate to land off La Claire Mare Lane and not La Cachette, Rue des Mares which is a neighbours address;
- It appears that the height has increased due to changes in the slab level proposed which would appear inappropriate and too high for the location.
- It is very difficult to interpret the plans regarding the finished height of the building and the accuracy is also questionable given the previous plans submitted are not considered correct.
- A dry-stone wall to the lane side has been removed without consent.
- Site notice not properly displayed.
- Unlawful extension was added which was subsequently removed, applicant shows disregard for the Law.
- Increase in height would allow direct views into bedroom, kitchen and neighbour's properties.
- Query on cesspit location given solid granite underground.

Comments:

This application proposes variations to the previously approved scheme (FULL/2022/1957) including an increase in the as built slab level, new windows to the east elevation, and a raised patio to the north-east corner of the site, extending from the east elevation. This raised patio to the north east elevation was included in revised plans, and the application was re-advertised accordingly to reflect this.

The footprint and volume of the proposed dwelling has not changed. This ensures that the variations now proposed do not conflict with Policy GP16(B).

The newly proposed windows to the east elevation and raised patio are largely enclosed by the existing rockface and are unlikely to have a significant effect on neighbour amenity.

Accurate plans were also requested following the consideration of onsite retrospective works and the Agent advised that the original plans showed levels which were not related to the site as a full site survey had not been undertaken. It is understood that the levels on the approved plans related to existing slab of the packing shed which existed at that time. A full survey has now been undertaken which relates to sea levels, this has resulted in an increase in height of the slab level, and so resultant height of the development by approximately 20cm. This increase is considered small scale and acceptable in relation to the visual and physical impact of the proposal, the impact on neighbours and 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: 18/08/2025