

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: Variations to previously approved plans to erect dwelling to south of site and associated works - change in material to roof covering, alterations to fenestration and hardstanding (partially retrospective).

LOCATION: West Lydford, Robergerie, St. Sampson.

APPLICANT: Miss L Martin

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: 05/09/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/07/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 6321/A/4c

Application Ref: FULL/2025/1113

Property Ref: B007710000

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 on or before 26/02/2028.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2024/1769.

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 variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 26/02/2025, issued under planning application reference FULL/2024/1769, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

Expiry Date: This permission will cease to have effect on 26/02/2028 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/2025/1113
Property Ref: B007710000
Valid date: 04/07/2025
Location: West Lydford Robergerie St. Sampson Guernsey GY2 4NG
Proposal: Variations to previously approved plans to erect dwelling to south of site and associated works - change in material to roof covering, alterations to fenestration and hardstanding (partially retrospective).

Applicant: Miss L Martin

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.

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4. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 26/02/2025, issued under planning application reference FULL/2024/1769, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

INFORMATIVES

OFFICER'S REPORT

Site Description:

The site consists of a traditional detached two storey dwelling and a recently constructed dwelling to the west gable. The dwellings are constructed of rendered walls and a slate roof and front onto the highway Robergerie. The site includes parking to the front of the dwellings and gardens to the rear. There is a gravelled track to the side (west) of the dwellings providing vehicular access to the rear of the site and to neighbouring properties. Planning permission was granted to erect a dwelling within the rear garden, with the most recent permission in February 2025 (FULL/2024/1769), and which is currently under construction and is the subject of this application.

The site is in The Bridge Main Centre Outer Area and the Delancey Conservation Area. The site is bounded to the east and south by open and undeveloped land designated as Important Open Land.

Relevant History:

26/02/2025 – FULL/2024/1769 – Permission granted to erect dwelling to south of site and associated works, resurface right of way access to west of site.

18/02/2025 – FULL/2025/0007 – Permission granted to erect dwelling (revised scheme) (Retrospective).

17/05/2023 – FULL/2022/2195 – Permission granted to demolish part of garage and extension, erect 1.5 storey dwelling to west (side) of existing dwelling, erect wall to rear, lower existing north (roadside) wall and demolish section of wall to widen vehicle access.

02/10/2020 – FULL/2019/0539 – Permission granted to erect dwelling to south (rear) of existing property including erect wall and replace boundary fencing.

B771/A

05/03/2021 – FULL/2021/0150 – Permission granted to tarmac access driveway.

Existing Use(s):

Residential use class 1: dwelling house

Brief Description of Development:

Planning permission is requested for variations to works previously approved to erect a dwelling (FULL/2024/1769). The variations involve alterations to the fenestration in the north-west elevation, replacing the roofing material with slate and re-surfacing the right of way access in tarmac.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

Policy MC2: Housing in Main Centres and Main Centre Outer Areas

Policy GP1: Landscape Character and Open Land

Policy GP4: Conservation Areas

Policy GP8: Design

Policy GP9: Sustainable Development

Policy IP6: Transport Infrastructure & Support Facilities

Policy IP7: Private and Communal Car Parking

Policy IP9: Highway Safety, Accessibility and Capacity

Representations:

Two representation were received, main points as follows:

- Requests that run off and drainage from the driveway does not run down into neighbouring properties. Notes at present run-off runs downs into the neighbours garages and concerned about increased run-off with a less porous material.
- No details have been provided about the height or pitch of the roof.

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. Design and impact of the development on the character and appearance of the Conservation Area.
2. The impact of the development on the amenity of people living in the area.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

Planning permission was granted to surface the right of way access in tarmac in March 2021 (FULL/2021/0150). Replacing the roofing material with slate will enhance the design of the dwelling, whilst the alterations to the fenestration and surfacing the right of way access will have no adverse effects on the character and appearance of the Conservation Area.

As part of the previously approved plans (FULL/2024/1769), the height of the north boundary fence was agreed to be increased by 0.5m in order to protect the privacy of the neighbouring property, with details to be submitted under condition 4. Provided that the north boundary fence is increased in height as agreed under application FULL/2024/1769 and the relocated window is obscure glazed as proposed, the proposal is unlikely to have a material adverse effect on the amenities of neighbouring residents.

With regards to the comments in the representations, matters related to drainage will be considered under the Building Regulations. The information submitted is sufficient to assess the height and pitch of the roof of the proposed dwelling. All decisions made by the Authority are without prejudice to third party rights, and the Authority is not able to address civil matters such as boundary, third party disputes or other related matters of ownership. Where necessary such cases should be resolved by seeking legal advice.

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.

Date: 04/09/2025

