

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 extension at 1st floor level to south (side) elevation

LOCATION: Carlive Villa, Helston Estate, Castel.

APPLICANT: Mr D C Bent

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: 19/09/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/07/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: 1001/4DCB & Block Plan

Application Ref: FULL/2025/1130

Property Ref: D00891H000

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 18/09/2028 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/2025/1130
Property Ref: D00891H000
Valid date: 08/07/2025
Location: Carlive Villa Helston Estate Castel Guernsey GY5 7NZ
Proposal: Erect extension at 1st floor level to south (side) elevation

Applicant: Mr D C Bent

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.

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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.

OFFICER'S REPORT

Brief Description of the site:

The application site consists of a two storey, semi-detached dwelling-house located to the east of Helston Estate. The property has been extended at ground floor level to serve as a dower unit (FULL/2014/0128).

Planning permission is sought to erect an extension at first floor level to the south (side) elevation. The extension will serve as two bedrooms and an ensuite.

The proposal incorporates a hip-roof extension to respect that of the main house, and includes a small flat roof extension serving the first floor ensuite. The walls will be finished in render together with new white uPVC windows and doors. The proposal includes a Juliette balcony, serving the rear facing bedroom.

Relevant History:

FULL/2014/0128	Demolish garage, erect extension to form dower unit, remove two sections of hedging and widen access.	Granted
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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.

The principal aim of the Island Development Plan is to help maintain and create a socially inclusive, healthy and economically strong Island, while balancing these

objectives with the protection and enhancement of Guernsey's built and natural environment and the need to use land wisely.

Policy GP13 is generally supportive of proposals for domestic extensions, alterations and other such householder development, unless material considerations indicate otherwise or conflicts with other Plan policies or the States strategic objectives are identified.

The proposed development at first floor level is subservient and proportionate to the main house, and adopts a satisfactory standard of design by virtue of its overall scale, form, massing, siting and materials.

Due to its scale, size, relationship to the original house, the proposal is not considered to have a detrimental impact on the character of the area or visual amenity when taking into account the flexibility afforded to householder development (Policy GP13).

Careful consideration has been given to the effect of the development on the amenities of neighbouring residents. The position of windows at first floor level to the front and rear of the property will result in additional overlooking towards neighbouring properties.

Although, the distances between the proposed window and Juliette balcony to the rear of the house will be approximately 14m from the east boundary of the property (Carlive Villa), and will directly look over a private driveway serving Les Grands Villocqs to the north-east. The distance between the fenestration and the east boundary of the private driveway is 18m. At this distance, coupled with the relationship to neighbouring properties to the north, east and south of the application, the proposed development is unlikely to cause unacceptable harm to justify refusal.

Similarly, the effect of overlooking towards the neighbouring property to the west of the application site, known as Tamarisk, would be negatively impacted as a result of the proposed windows, although the degree of harm caused is unlikely to be so substantial, individually or cumulatively, to justify refusal. This decision has been reached when taking into account distance between the proposed windows and the neighbour's usable garden (approximately 13m), and the existing relationship between the first floor windows to the front of the house, overlooking the neighbour's rear garden.

Overall, the proposal will have a negative effect on the amenities of neighbouring residents, although the degree of harm would not be significant to reasonably to justify refusal.

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: 18/09/25