

**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:** Raise and extend roof ridge height to create accomodation at 1st floor level and balcony to north (rear) elevation, erect porch to south (front) elevation.

**LOCATION:** Mon Avenir, Les Abreuveurs Road, St. Sampson.

**APPLICANT:** Mr S Ward

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:** 27/08/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/07/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Arctech Chartered Architectural Technologist:  
SW/25/2242/02A

**Application Ref:** FULL/2025/1132

**Property Ref:** B01434B000

**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.Prior to the first use of the first floor balcony as hereby approved, a 1.8m high privacy screen (measured from the finished floor level of the 1st floor balcony) glazed with obscure glass of a minimum industry standard privacy level 3 shall have been installed in the position shown on the approved drawing (ref: SW/25/2242/02A. The privacy screen shall be retained as such in perpetuity.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

**Expiry Date: This permission will cease to have effect on 26/08/2028 unless development is commenced by that date.**

**ADVICE AND OTHER REMARKS:-**

The Authority does not recognise all of the land outlined on the submitted plan as forming the domestic curtilage associated with the dwelling presently known as Mon Avenir. The land recognised as domestic curtilage by the Authority is identified on the plan enclosed with this decision notice.

**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](http://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](mailto: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/2025/1132  
**Property Ref:** B01434B000  
**Valid date:** 10/07/2025  
**Location:** Mon Avenir Les Abreuveurs Road St. Sampson Guernsey GY2 4XB  
**Proposal:** Raise and extend roof ridge height to create accomodation at 1st floor level and balcony to north (rear) elevation, erect porch to south (front) elevation.  
**Applicant:** Mr S Ward

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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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. Prior to the first use of the first floor balcony as hereby approved, a 1.8m high privacy screen (measured from the finished floor level of the 1st floor balcony) glazed with obscure glass of a minimum industry standard privacy level 3 shall have been installed in the position shown on the approved drawing (ref: SW/25/2242/02A. The privacy screen shall be retained as such in perpetuity.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

## **INFORMATIVES**

The Authority does not recognise all of the land outlined on the submitted plan as forming the domestic curtilage associated with the dwelling presently known as Mon Avenir. The land recognised as domestic curtilage by the Authority is identified on the plan enclosed with this decision notice.

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## **OFFICER'S REPORT**

### **Site Description:**

The application site comprises a detached bungalow situated to the north of Les Abreuveurs Road. Surrounding the site the area comprises residential properties to the south, east and west with open fields to the north.

The site is situated Outside of the Centres as designated in the Island Development Plan.

### **Relevant History:**

|                |                                                                          |                    |
|----------------|--------------------------------------------------------------------------|--------------------|
| FULL/2020/1557 | Erect single storey extension to east (side) and north (rear) elevation. | Granted 28/09/2020 |
| FULL/2018/2931 | Erect timber framed detached double garage                               | Granted 20/02/2019 |
| CURT/2018/2515 | Definition of curtilage                                                  | Issued 15/10/2018  |
| FULL/2018/2029 | Change of use of agricultural land to domestic garden.                   | Granted 15/10/2018 |

**Existing Use(s):**

- Residential (property and garden area);
- Agriculture (section of land to the north)

**Brief Description of Development:**

Planning permission is sought to raise and extend the roof ridge height to create accommodation at first floor level and to create a balcony to the north (rear) elevation. The proposal also intends to erect a porch extension to the south (front) of the site.

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

GP8 Design  
GP9 Sustainable Development  
GP13 Householder Development

**Representations:**

One letter of representation was received from a neighbouring property the occupiers of which signed for the property in July 2025 and are currently in the process of finalising the property purchase. Whilst not objecting to the scheme in general terms, concerns were raised with the regard to the potential to overlook into the garden area of the property 'Rushford' from the proposed balcony. The representor has requested that the side of the balcony is raised and obscure glazed to prevent overlooking.

**Consultations:**

None

**Summary of Issues:**

The main issues in deciding this application are:

1. The design and impact of the development on the character and appearance of the 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).

Policy GP13 indicates that proposals for extensions and alterations to existing residential buildings will be supported subject to certain criteria being met including with regards to the impact on the amenities of neighbouring properties, taking into account the surrounding character and where they accord with all the relevant policies of the Island Development Plan. In this instance Policies GP1, GP8 and GP9 are also relevant. In addition, the preceding text to this policy refers to the need to consider the material planning considerations as specified in Part IV, Section 13 of the Land Planning and Development (General Provisions) Ordinance 2007. These include the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used, as well as its likely effect on the character and amenity of the locality in question and its likely effect on the reasonable enjoyment of neighbouring properties.

Policy GP8, inter alia, expects new development to achieve a good standard of architectural design, to make the most effective and efficient use of land and to respect the character of the local built environment. It highlights that multi-storey buildings are a more efficient use of land than single storey buildings and it states that development proposals should consider a multi-storey design from the outset, unless there are overriding reasons why this design approach would be unacceptable within a particular locality.

Properties within the area are of a mixed size and design with no uniform building type. Whilst the extended building would be higher than neighbouring properties to the west and south, the neighbouring property immediately to the east of the site (Rushford) is situated closer to the main road and is of 1.5 storey height and built on a larger footprint. As a result, the increased scale and height of the building could be accommodated within the street scene and it would not have a significant adverse effect on the openness and landscape character of the area.

The proposal will result in a considerable increase to the scale and mass of the dwelling however, the existing dwelling is relatively modest in size in comparison to the plot size and is of a comparable scale to other properties within the area. The pitched roof design and materials of the proposal achieve an appropriate standard of design. In addition, the siting of the dwelling, set back further than the neighbouring properties either side will reduce any prominence from the public highway.

To the rear the proposal also includes the provision of a balcony above the existing utility room and the comments from the representor have been noted. The proposed balcony given its distance to the boundary shared with the neighbouring property (Rushford) has the potential to overlook the associated garden area. The application was deferred and revised plans submitted which include a 1.8m high obscure glazed screen to be constructed along the eastern elevation of the balcony to address this issue. Subject to a condition ensuring that this is installed prior to the first use of the balcony, the concerns have been addressed.

The balcony is sufficient distance from the neighbouring property to the west to prevent overlooking and no gable windows are proposed at first floor level. Although

first floor windows are proposed in the north facing elevation, by virtue of a combination of the angle of view, the distance to the neighbouring properties and the relative orientation and positioning of the proposed dwellings and neighbouring properties, the degree of harm caused is unlikely to be so significant as to have a material adverse effect on the amenities of the neighbouring residents.

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 existing access arrangements and parking for the property will remain unchanged and the scheme would therefore not harm highway safety.

The submitted drawings include all of the area to the rear of the site edged in red which would suggest that the land forms part of the residential curtilage associated with the dwelling. However this is not the case and the curtilage was defined in 2018 and does not include all of this land. It is recommended that for the avoidance of any doubt an informative is included notifying the applicant of this with a plan accompanying the decision notice to clearly show the extent of curtilage relating to the property.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

It is recommended that the application is approved subject to the recommended condition and informative.

**Date:** 19/08/2025

