

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 extension to south-east (side) elevation, install dormer windows, rooflights and replacement porch to south-west (front) elevation and alterations to fenestration. Erect single storey ancillary building to north-east boundary.

LOCATION: La Brise de Mer (formerly Lanesra), Les Grandes Rocques, Castel.

APPLICANT: Mr N Montgomery

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: 29/08/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/07/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Arch+: 235-3-300, 301, 302, 303 & 304.

Application Ref: FULL/2025/1153

Property Ref: D01800B000

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 28/08/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the proposed garage and gym to be used only for purposes incidental to the enjoyment of the dwelling house, 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.

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/2025/1153
Property Ref: D01800B000
Valid date: 16/07/2025
Location: La Brise de Mer (formerly Lanesra) Les Grandes Rocques
Castel Guernsey GY5 7FT
Proposal: Erect 1.5 storey extension to south-east (side) elevation,
install dormer windows, rooflights and replacement porch to
south-west (front) elevation and alterations to fenestration.
Erect single storey ancillary building to north-east boundary.

Applicant: Mr N Montgomery

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.

INFORMATIVES

For the avoidance of doubt, this decision permits the proposed garage and gym to be used only for purposes incidental to the enjoyment of the dwelling house, 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.

OFFICER'S REPORT

Site Description:

The site comprises of a detached 1½ storey dwelling which was constructed during the early 1990s and is finished with rendered walls and a pan tile roof. The site forms part of a ribbon development of residential properties to the east of Les Grandes Rocques and is Outside of the Centres.

Relevant History:

None

Existing Use(s):

Residential use class 1: dwelling house

Brief Description of Development:

Planning permission is requested to erect a 1½ storey extension to the south-east (side) elevation; install replacement dormer windows, rooflights and porch to the south-west (front) elevation; alterations to fenestration; and erect single storey outbuilding to the north-east (rear) of the site comprising of pitched roof and flat roof elements and for the proposed use as a garage and gym. The dwelling is proposed to be finished with stone clad and rendered walls and a slate roof.

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

GP8: Design

GP9: Sustainable development

GP13: Householder development

Representations:

Two representations were received from the neighbouring property to the north-west, main points as follows:

- Concerns raised about the fence along the north-west boundary and the resultant impact on the amenities of the neighbouring property due to the loss of light to windows.
- Concerns raised about the fence along the north-west boundary inhibiting access to maintain the neighbouring property and the maintenance of the boundary fence.

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 neighbouring residents.

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 properties 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.

The scale and design of the extension to the south-east gable respects the existing dwelling. Sited to the rear of the dwelling, the outbuilding would not form a prominent feature from the public highway. The extension, alterations to the dwelling and the outbuilding achieve a good standard of design and would have no adverse effects on the character and visual amenity of the area. The proposal accords with Policy GP8.

The proposed fence along the north-west boundary does not exceed 2 metres in height and is exempt development and does not require planning permission. Saying this, the height of the fence is unlikely to result in a material loss of light to the adjacent windows on the neighbouring property, whilst providing an increased degree of privacy between the neighbouring property and the application site.

The outbuilding to the rear has the potential to cause a degree of shading to a neighbouring property to the north. However, due to a combination of the siting and

height of the outbuilding and the layout of the neighbouring property, the proposal is unlikely to have a significant adverse effect. Overall, the proposed extension and alterations to the dwelling and the proposed outbuilding are unlikely to have a material adverse effect on the amenities of neighbouring residents.

The comments regarding the maintenance of the fence and the access to maintain the neighbouring property are not material planning considerations. 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.

Information has been submitted to demonstrate that the design has taken into account the use of energy and resources, in accordance with Policy GP9.

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: 27/08/2025