

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 porch to east (front) elevation, erect Juliet balcony at first floor level to west (rear) elevation, alterations to dormer windows and fenestration. Install dormer windows and roof lights to north (front) elevation and rooflights to south (rear) elevation of outbuilding/ancillary living unit.

LOCATION: L'Ermitage, Queens Road, St. Peter Port.

APPLICANT: Mr & Mrs S Robinson

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: 02/10/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 30/07/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: CCD Architects Surveyors Heritage Consultants: 3904 PL01A, 02, 03A, 04A, 05, 06B, 07

Application Ref: FULL/2025/1220

Property Ref: A307240000

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 01/10/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the accommodation on the upper floor of the garage to be used as an integral part of and incidental to the principal dwelling presently known as L'Ermitage. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

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/2025/1220
Property Ref: A307240000
Valid date: 30/07/2025
Location: L'Ermitage Queens Road St. Peter Port Guernsey GY1 1PU
Proposal: Erect porch to east (front) elevation, erect Juliet balcony at first floor level to west (rear) elevation, alterations to dormer windows and fenestration. Install dormer windows and roof lights to north (front) elevation and rooflights to south (rear) elevation of outbuilding/ancillary living unit.

Applicant: Mr & Mrs S Robinson

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 accommodation on the upper floor of the garage to be used as an integral part of and incidental to the principal dwelling presently known as L'Ermitage. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

OFFICER'S REPORT

Brief Description of the site:

The application property is a two and a half storey pitched roof dwelling which is situated to the west of Queens Road. Surrounding the site the area comprises residential properties to the east, and south, a school to the north with associated playing fields that wrap around the rear and sides (north and south) of the property.

The property is located in a Main Centre Outer Area and within a Conservation Area as defined by the Island Development Plan. The property to the south 'Springfield' is a protected building.

Relevant History:

FULL/2020/2251	Erect new canopy/porch to east (front) elevation.	Granted 07/12/2020
FULL/2019/2164	Remove roadside hedge/planting and plant new hedge/planting (Retrospective)	Granted 17/01/2020
FULL/2018/1937	Demolish existing garage and erect new 4 car oak framed garage with store and hobbies room above.	Granted 24/09/2018

Existing Use(s):

Residential – Use Class 1

Assessment: *(Tick as appropriate)*

no representation	☒
accords with policy	☒
within curtilage	☒
design acceptable	☒

visual amenity acceptable	☒
no material neighbour impact	☒
traffic not affected	☒

Policies considered most relevant:

GP1: Landscape Character and Open Land;
GP4: Conservation Areas;
GP5: Protected Building (setting)
GP8: Design;
GP13: Householder Development

Conclusion/Brief comment:

As originally proposed planning permission was sought to erect a porch to the east (front) elevation, to create a balcony at first floor level to the west (rear) elevation, to alter the existing dormer windows and fenestration within the main property and to install dormer windows and roof lights to the front elevation and rooflights in the rear elevation of the outbuilding situated to the south of the main dwelling.

Alterations to the main dwelling

As part of the consideration of the application, concerns were raised regarding the potential from the proposed balcony at first floor level to overlook into the outdoor classroom and play area situated to the south associated with the school that surrounds the site. The application was subsequently deferred for revised plans. As part of the revised scheme the applicant has decided to omit the first-floor balcony from the scheme and to replace this with a Juliet style balcony. The proposed revisions have addressed the previous concerns regarding the potential to overlook and the proposal is therefore acceptable in this respect.

The alterations to the dormer window, fenestration, the erection of the porch, and the removal of the chimney as proposed would be in-keeping with the design of the host building and would not harm the character of the surrounding Conservation Area. These alterations proposed would also not affect the residential amenity of any surrounding properties with regards to privacy or light loss.

The drawings also show that the main property will be re-roofed and that a swimming pool will be installed within the garden area. The application covering letter confirms that the roof will be replaced in tiles to match the existing roof (clay tiles) and that the swimming pool will be situated 2m from the property boundary. Both the re-roofing and the swimming pool are classified as Exempt Development and do not require planning permission and have not formed part of the assessment of this application.

Alterations to the outbuilding

The proposal includes the installation of roof lights and two dormer windows to the front (north) elevation of the outbuilding and three rooflights to the rear elevation, proposed to provide additional light and internal space to the upper floor which will be converted to ancillary living space.

However as stated within Planning Advice Note 1: Ancillary/Associated Living Accommodation Units a Guide to Development: *“Where an outbuilding within the domestic curtilage, including a garage, is converted to form an additional room or rooms to be occupied in association with the principal dwelling, there will be no material change of use and no need for planning permission. One type of ancillary residential use is simply being replaced by another. However, sometimes planning conditions require a garage to be retained for vehicle parking. Any such condition will mean that planning permission will be needed to use the garage for another purpose even if it is a purpose that is ancillary to the principal dwelling.”*

In the case of the application site there is no condition on the original permission restricting the upper floor of the garage. The conversion of the upper floor into ancillary living accommodation does not require permission. Notwithstanding the above, the resultant ancillary accommodation would be of a size that could easily provide the level of accommodation required for day to day living as a separate residential unit which would require different policy considerations. However, in support of the application the applicant’s agent by letter (dated 28/07/2025) has confirmed that the accommodation will be used for a purpose ancillary to the main use of the dwelling house. Although the floor space is relatively generous, the relationship of the unit and the principal dwelling, the nature of use and facilities to be shared indicate that the additional accommodation would be subsidiary to and dependent upon the principal dwelling unit. In addition, the size and layout of the site and the relationship between the principal dwelling and the outbuilding would not enable the site to be easily subdivided without compromising the amenity of both the outbuilding and the principal dwelling. Sufficient information has therefore been provided to demonstrate that the proposal will be used for ancillary domestic purpose and would not engage other planning policy considerations. It is recommended however that the decision is annotated to highlight that the accommodation can only be used for purposes ancillary to the main residential dwelling.

With regards to the proposed alterations, views from the dormer windows and rooflights to the front elevation will be towards the main dwelling and would not harm the residential amenity of any neighbouring properties. To the rear the rooflights proposed are positioned 1.7m above the internal first floor level to provide internal light, but to prevent overlooking so as not to cause harm to the residential amenity of the property to the south.

The alterations are in-keeping with the design of the host building and would not cause harm to the character of the surrounding Conservation 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.

For the above reasons the application is acceptable in relation to the above policies and other material planning considerations.

Recommendation:

Grant with Conditions



Date: 01/10/2025

