

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: Remove section of wall to widen vehicle access (Retrospective).

LOCATION: Riarni, Route De St. Clair, St. Sampson.

APPLICANT: Mr M Baudains & Miss D Machon

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: 07/10/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/08/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: MAT Limited - 25-376 04B.

Application Ref: FULL/2025/1247

Property Ref: B006800000

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.Within two months of the date of this decision, the end of the enlarged opening shall be finished off with a brick pillar and the remainder of the wall shall be finished in granite to match the existing roadside walls.

Reason - To ensure a satisfactory external appearance in the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 06/10/2028 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/2025/1247
Property Ref: B006800000
Valid date: 13/08/2025
Location: Riarni Route De St. Clair St. Sampson Guernsey GY2 4DS
Proposal: Remove section of wall to widen vehicle access (Retrospective).

Applicant: Mr M Baudains & Miss D Machon

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.

4. Within two months of the date of this decision, the end of the enlarged opening shall be finished off with a brick pillar and the remainder of the wall shall be finished in granite to match the existing roadside walls.

Reason - To ensure a satisfactory external appearance in the interests of visual amenity.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Riarni' is a mid-20th century bungalow which is very slightly set back from and faces east onto Route St. Clair. There are neighbouring properties to the north, south and across the road to the east, also to the west at a much lower level. The property is located in the St Sampson Main Centre Outer Area as defined in the Island Development Plan.

Relevant History:

FULL/2025/1249 - Erect single storey extension with raised terrace area to west (rear) elevation (part retrospective) – Approved September 2025.

FULL/2023/2466 - Increase width of vehicle access from 3.4m to 6m – The application was closed in March 2024 with no decision.

Existing Use(s):

There is no relevant history pertaining to this application.

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:

GP8: Design

GP13: Householder Development

IP9: Highway Safety, Accessibility and Capacity.

Conclusion/Brief comment:

This is a retrospective application to widen the existing vehicular entrance of the property to 5m.

The drawing states that the existing entrance was 4m wide, however the previous application which was not determined stated that the existing opening was 3.4m, nonetheless the proposed and already completed width is 5m. However, the way in which the end of the widened wall was finished off is unsatisfactory and the application was deferred to allow the agent/applicant to decide on a solution to the issue.

The amended drawing now shows that the wall will have the cement capped end removed and a red brick pillar built to finish the wall and the remainder of the wall will be finished in granite. The amended solution would be a vast improvement to the existing granite wall with rough cement capped end.

Route St. Clair is a Traffic Priority Route, which means it is a fairly busy road and the property is located on the crest of a hill. A vehicular opening has existed since the property was built, but with there being more traffic on the road these days a larger opening would assist vehicles to enter and exit the property a lot easier.

The proposals are considered to achieve a good standard of design, using materials which complement the existing materials. The scale of the new opening is not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it have any impact on either of the immediate neighbours, and can only improve road safety.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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.

Recommendation:

Grant with Conditions



Date: 07/10/2025