

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 alter roof and extend at ground and first floor levels including first floor balconies to north elevation. Demolish existing and erect replacement garage to south boundary. Erect vehicular access gate. Change of use of agricultural land to domestic garden (86sqm).

LOCATION: Ocean View, Ruelle Julienne, Castel.

APPLICANT: Mr & Mrs Mountford

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: 21/11/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 01/09/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP Architecture: 3018 SK-01, SK-02B, SK-03, SK-04, SK-05, SK-06, SK-07, SK-08, SK-09A, SK-10, SK-12B & SK-13A.

Tyrrell Dowinton Architects: 2375 03.03 & .04.

Application Ref: FULL/2025/1335

Property Ref: D003980000

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.No development, excluding demolition and site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Authority: i) the treatment proposed for all ground surfaces, including hard areas; ii) full details of tree and hedge planting; iii) planting schedules, noting the species, sizes, numbers and densities of plants; iv) finished levels or contours; v) any screen walls or similar structures; vi) any other structures to be erected or constructed; vii) functional services above and below ground; and viii) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

5.The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

6. Within four weeks of the new access being brought into use, the ends of the new opening shall be completed as per the approved drawings.

Reason - To secure the satisfactory appearance of the completed development.

7. If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

Reason - To make sure that the site is free from contamination, in the interests of public health and safety.

Expiry Date: This permission will cease to have effect on 20/11/2028 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/2025/1335
Property Ref: D003980000
Valid date: 01/09/2025
Location: Ocean View Ruelle Julianne Castel Guernsey GY5 7LD
Proposal: Raise and alter roof and extend at ground and first floor levels including first floor balconies to north elevation. Demolish existing and erect replacement garage to south boundary. Erect vehicular access gate. Change of use of agricultural land to domestic garden (86sqm).

Applicant: Mr & Mrs Mountford

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. No development, excluding demolition and site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Authority: i) the treatment proposed for all ground surfaces, including hard areas; ii) full details of tree and hedge planting; iii) planting schedules, noting the species, sizes, numbers and densities of plants; iv) finished levels or contours; v) any screen walls or similar structures; vi) any other structures to be erected or constructed; vii) functional services above and below ground; and viii) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

5. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

6. Within four weeks of the new access being brought into use, the ends of the new opening shall be completed as per the approved drawings.

Reason - To secure the satisfactory appearance of the completed development.

7. If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

Reason - To make sure that the site is free from contamination, in the interests of public health and safety.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Ocean View' is a two storey dwelling which is located to the west of Ruelle Julienne. The property faces south with views to the north and sits close to the road midway along the eastern boundary. The domestic curtilage surrounds the property and the rest of the site is agricultural land. The closest neighbour is to the south (on higher ground) and there are also neighbours to the north (on lower ground) and across the road to the east. The property is located Outside of the Centres and within an Agriculture Priority Area as defined in the Island Development Plan.

Relevant History:

FULL/2021/1468 - Raise and alter roof and extend at ground and first floor levels including first floor balconies to north elevation. Demolish existing and erect replacement garage to south boundary. Erect vehicular access gate. Change of use of agricultural land to domestic garden (270sqm) – Approved December 2021.

Existing Use(s):

Residential use class 1: dwelling house.

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
GP8 – Design
GP9 – Sustainable Development
GP13 – Householder Development
GP15 – Creation and Extension of Curtilage

Consultations:

The Office of Environmental Health and Pollution Regulation.

'There is potential for contamination on this land due to its former use as a growing site

and the historic presence of glasshouses. Should the applicant intend to grow consumables on this land, I recommend that they consider the potential for contamination and the associated risks.

In addition, I would also recommend that the following condition is attached to any consent granted for this application:

- If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.'*

Conclusion/Brief comment:

This application is to reissue the approval of the 2021 application as the permission has expired. The application is to alter the roof and extend at ground and first floor levels including first floor balconies to north elevation. Demolish the existing and erect replacement garage to south boundary. Erect vehicular access gate. Change of use of agricultural land to domestic garden (Approx. 86sqm).

The area around the property has not changed in the three years since the 2021 decision and so much of the original assessment is still relevant. The original application initially requested around 285sqm of agricultural land to become domestic garden, but through the deferral process the land was reduced to approx. 86sqm, which is what is being requested again as per drawing 3018 SK-02B.

Although the proposals more than double the current floor space of the dwelling, there are no issues with the overall design concept, due to the Island Development Plan providing householders greater freedom of choice with regard to private property development outside of the centres and conservation areas. The proposed dwelling is still considered proportionate within the domestic curtilage and the wider agricultural land within the same ownership.

The land slopes downward from north to south and with the existing ridgeline retained, the proposed property is not thought to have any detrimental impacts on the open character of the surrounding landscape. When viewed from lower levels looking north there are other large domestic buildings to the side and behind at higher levels and a line of properties on the skyline, which lessens the overall impact.

There are no issues of overlooking or overshadowing of/from the main dwelling due to the distance between neighbours and the topography of the land. However, the proposed garage and hobby/art room is located closer to the southern boundary and

closer to the neighbour's property. The proposed structure remains single storey and the scale and design are considered acceptable from a visual view point, and although the hipped roof form would increase the buildings height compared to the existing there are no material planning issues regarding views from the neighbour's house. With regards to loss of light, there will be an impact due to the proximity, although the pitched roof design should ameliorate this to a degree which is, on balance, acceptable.

The entrance retains the recessed gate and pillars and on the south side a white rendered wall slopes down from 1.8m at the gateway to 900mm alongside the road and matches the height of the neighbour's wall at the shared south boundary. The north side of the access is an extension of the eastern boundary, which is an earthbank with hedging planted on the top. The entrance is considered appropriate for the location and the proposed residential dwelling.

Policy GP9, Sustainable Development, seeks to ensure all new development takes into account the use of energy and resources and any adverse impacts on the environment. There has been sufficient information provided with the application to comply with the requirements of this policy.

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: 21/11/2025

