

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: Demolish chimneys and extensions, erect single storey extension to north-west (front) elevation, erect single storey extension with balcony and external staircase at 1st floor level to south-west (side) elevation and alterations to fenestration.

LOCATION: Le Courtil Fontaine, La Claire Mare Lane, Rue De La Claire Mare, St. Pierre Du Bois.

APPLICANT: Mr & Mrs McErlane

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: 25/11/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 03/10/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Arch+ - 234-3-300, 301, 302, 303, 304, 305, 306, 307, 308

Application Ref: FULL/2025/1578

Property Ref: F002750000

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 24/11/2028 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/2025/1578
Property Ref: F002750000
Valid date: 03/10/2025
Location: Le Courtil Fontaine La Claire Mare Lane Rue De La Claire Mare
Rue De La Claire Mare St. Pierre Du Bois Guernsey GY7 9QA
Proposal: Demolish chimneys and extensions, erect single storey
extension to north-west (front) elevation, erect single storey
extension with balcony and external staircase at 1st floor level
to south-west (side) elevation and alterations to fenestration.

Applicant: Mr & Mrs McErlane

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.

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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.

OFFICER'S REPORT

Site Description:

The site is located to the east of Rue de la Claire Mare and is occupied by a large detached dwelling with parking and garage to the east and main garden and pool to the south.

The site is located Outside the Centre and the dwelling is pre-1900.

Relevant History:

N/A

Existing Use(s):

01 Dwelling houses

Brief Description of Development:

The proposal is for the demolition of the existing chimneys, erection of a lean to single storey extension to the north-west (front) elevation to replace the existing porch, the erection of a single storey extension with balcony and external staircase at 1st floor level to the south west (side) elevation, replacing the existing conservatory, and alterations to fenestration.

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

GP13- Householder Development

GP8- Design

GP9- Sustainable Development

Representations:

One letter of representation has been received from a neighbouring property, this raises concern over the proposed side extension with balcony above and the loss of privacy and direct overlooking possible due to the close proximity.

Consultations:

N/A

Summary of Issues:

The key considerations in this instance are the principle of development along with the impact on neighbours. Other considerations include the visual impact.

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 the alteration and/or extension of 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. In this instance Policies GP8 and GP9 are also relevant. In addition, the preceding text of Policy GP13 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.

Properties within the area are of a mixed size and design with post-war 20th century bungalows to the north west, and a new contemporary dwelling currently under construction to the north. The proposal would result in a small increase in terms of scale and mass of the dwelling and is appropriately designed and positioned so as not to dominate the existing dwelling and the proposals are unlikely to have a significant adverse effect on the character of the local built environment, in accordance with Policies GP8 and GP13.

The neighbouring dwelling to the west, Stoneleigh, is a 1970s dwelling set further back in its plot than Le Courtil Fontaine, and the shared boundary is comprised of significant and mature vegetation, this coupled with the position of the dwelling means that there is no significant overlooking anticipated from the balcony.

Stoneleigh itself has a small first floor balcony to the front of the dwelling, this was approved in 2021 and it was concluded that overlooking was unlikely as there are mature boundary hedges along the boundary planted on both sides which means the total loss of this screening is unlikely, in addition to this, the extent of any overlooking into the neighbour's garden was considered minimal, as the distances are over 15m. As such, it was concluded that there would not be any detrimental impacts to the easterly neighbours' garden amenity

The current application makes a similar assessment that although unlikely, if the mature boundary hedging was to be removed in the future, the balcony would only allow views into the neighbours front garden, with some degree of mutual overlooking between balconies, with a distance of approx. 13m between the dwellings, this is acceptable, on balance.

The additional first floor windows to the east and south elevations will not impact significantly on any neighbour as the nearest neighbour to the east is approx. 22m away with an intervening road and significant boundary hedges, with no residential neighbours to the south for over 100m.

Overall, the increase in the scale and mass of the extended dwelling and the positioning of balcony and new fenestration is unlikely to result in a material adverse effect on the amenities of neighbouring residents. Use of the proposed balcony by occupants of the application property should not give rise to any materially different noise or activity than could already take place around the pool and within the rear garden.

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.

Date: 18/11/2025

