

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: Variations to previously approved plans to raise and alter roof and extend at 1st floor level, extend and alter at ground floor level, erect raised terrace area and pool to east (front) elevation - Install 1st floor window to south elevation and alterations to fenestration at 1st floor level to west elevation.

LOCATION: La Pierre, Icart Road, St. Martin.

APPLICANT: Mr & Mrs J Mogg

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: 26/11/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/10/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: The Drawing Room: 329 C1B, C3A, C4A, C5A

Application Ref: FULL/2025/1617

Property Ref: J011110000

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 on or by 30/04/2027.

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. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 30/04/2024, issued under planning application reference FULL/2024/0285, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

5. Prior to the first occupation of the first floor of the dwelling, as shown on drawing ref: 329 C4A the bottom 1.7m section of the windows in the west facing elevation serving bedroom 4, the bathroom, and bedroom 5, shall be fixed shut (i.e. non openable) and permanently glazed with obscure glass of a minimum industry standard privacy level 3 and shall be retained as such in perpetuity.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

Expiry Date: This permission will cease to have effect on 30/04/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the dwelling presently known as La Pierre. The land recognised as domestic curtilage by the Authority is identified on the plan enclosed with this decision notice.

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/2025/1617
Property Ref: J011110000
Valid date: 20/10/2025
Location: La Pierre lcart Road St. Martin Guernsey GY4 6JF
Proposal: Variations to previously approved plans to raise and alter roof and extend at 1st floor level, extend and alter at ground floor level, erect raised terrace area and pool to east (front) elevation - Install 1st floor window to south elevation and alterations to fenestration at 1st floor level to west elevation.

Applicant: Mr & Mrs J Mogg

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 on or by 30/04/2027.

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. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 30/04/2024, issued under planning application reference FULL/2024/0285, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

5. Prior to the first occupation of the first floor of the dwelling, as shown on drawing ref: 329 C4A the bottom 1.7m section of the windows in the west facing elevation serving bedroom 4, the bathroom, and bedroom 5, shall be fixed shut (i.e. non openable) and permanently glazed with obscure glass of a minimum industry standard privacy level 3 and shall be retained as such in perpetuity.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

INFORMATIVES

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the dwelling presently known as La Pierre. The land recognised as domestic curtilage by the Authority is identified on the plan enclosed with this decision notice.

OFFICER’S REPORT

Brief Description of the site:

The application site takes the form of a detached bungalow built within the hillside with a garage set below. The site is situated Outside of the Centres and part of the site (all of the land owned outside of the domestic curtilage) is designated as a Site of Special Significance as designated in the Island Development Plan. Although not falling within, a Conservation Area borders the site to the west. The neighbouring property to the west (Fisherman’s Cottage) is a protected building.

Relevant History:

FULL/2024/0286	Demolish outbuilding, erect single storey summerhouse and alter ground levels, erect retaining walls and external steps to west boundary.	Refused 12/06/2025 Allowed at appeal
FULL/2024/0285	Raise and alter roof and extend at 1st floor level, extend and alter at ground floor level,	Granted 30/04/2024

	erect raised terrace area and pool to east (front) elevation.	
--	---	--

Existing Use(s):

Residential (garden area and property) – Use Class 1

Agricultural (remainder of site) – Use Class 28

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

GP2: Site of Special Significance

GP5: Protected Building (setting of the property to the rear)

GP8: Design

GP9: Sustainable development

GP13: Householder development

Conclusion/Brief comment:

Planning permission was previously granted to raise and alter the existing roof and extend at 1st floor level, extend and alter at ground floor level, and to erect a raised terrace area and pool to east (front) elevation (ref: FULL/2024/0285).

As part of that permission a condition was included for the first floor windows in the west facing elevation to be fixed shut and obscure glazed to protect the residential amenity of the neighbouring property in that direction. Under this application planning permission is sought for variations to these windows and to install a new window at first floor level in the south facing elevation.

Three of the windows in the west elevation will be altered ensuring that the bottom 1.7m section of each window are fixed shut and obscure glazed, but allowing for a small section above 1.7m to be openable. Although a change from the original scheme, by obscure glazing the lower section to the height proposed, it will maintain a good level of privacy between the neighbouring property whilst allowing for ventilation to the inner rooms.

The remaining window in the west facing elevation serving the principal bedroom will be changed to clear glass with the top section openable. Although no obscure glazing is proposed for this window, given that it is set back within the site (circa 10m) from the boundary shared with the neighbouring property to the west,

together with boundary screening along the west boundary of the site, any additional harm through the alterations proposed would not be so substantial to warrant the refusal of planning permission.

The new window proposed in the south facing elevation would not cause any additional harm to the amenities of neighbouring properties.

The proposed alterations are in-keeping with the character of the host building and will provide for a uniform window design along the west elevation of the property. The scheme therefore complies with Policy GP8 in design terms.

The Authority has a duty under Section 34 of the Land Planning and Development (Guernsey) Law, 2005, to secure so far as possible that the special interest of a protected building is preserved, and with respect to a protected building or any other building or land in the vicinity of a protected building, to pay special attention to the desirability of preserving the protected building's special characteristics and setting. With regards to the setting of protected buildings, this duty is encapsulated in Policies GP5 and GP8.

The site is situated within the vicinity of protected buildings to the west of the site. However given the scale and nature of the proposed alterations, the variations proposed would not harm the setting of nearby protected buildings and complies with Policies GP5 and GP8 in this respect.

The proposal would not cause harm to highway safety or impact on the nearby SSS.

The note section of drawing ref: 329 C1B refers to alterations to retaining walls. These were approved as part of a previous minor amendment to the approved scheme and have therefore not formed part of the assessment of this application.

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: 24/11/2025

