

**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 extensions, extend and alter at ground, first and second floor levels, install air source heat pump, tennis court and fencing and widen gated vehicle access.

**LOCATION:** Les Preaux, Le Route De Sausmarez, St. Martin.

**APPLICANT:** Mr & Mrs G Allen

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:** 09/01/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/10/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** The Drawing Room: 318 C3, C4, C5, C6, C7, C8, C9, C10, C11, C12, C13, C15, C16, C17, C18, C30. Bluevolution: ""Daikin Altherma 3"" heat pump details.

**Application Ref:** FULL/2022/1992

**Property Ref:** J000130000

**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.Noise associated with air-source heat pump, the Rating Level, measured or calculated at 1- metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014.

Reason - To prevent nuisance or annoyance to nearby residents.

**Expiry Date: This permission will cease to have effect on 08/01/2026 unless development is commenced by that date.**

**ADVICE AND OTHER REMARKS:-**

For the avoidance of doubt, the installation of any lighting in association with the tennis court hereby approved would require a separate application for planning permission.

**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](http://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](mailto: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/2022/1992  
**Property Ref:** J000130000  
**Valid date:** 10/10/2022  
**Location:** Les Preaux Le Route De Sausmarez St. Martin Guernsey GY4 6SF  
**Proposal:** Demolish extensions, extend and alter at ground, first and second floor levels, install air source heat pump, tennis court and fencing and widen gated vehicle access.  
**Applicant:** Mr & Mrs G Allen

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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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. Noise associated with air-source heat pump, the Rating Level, measured or calculated at 1- metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014.

Reason - To prevent nuisance or annoyance to nearby residents.

## **INFORMATIVES**

For the avoidance of doubt, the installation of any lighting in association with the tennis court hereby approved would require a separate application for planning permission.

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## **OFFICER'S REPORT**

### **Brief Description of the site:**

Les Preaux comprises a large detached dwelling located on the junction between La Route De Sausmarez and Le Varclin. Detached outbuildings exist adjacent to the east site boundary (identified in the submission as poolhouse and guest accommodation).

The application relates to the demolition of various extensions to the property and the erection of extensive extensions and alterations to all parts of the property. Single-storey pitched and flat roof extensions incorporating first floor terraces are proposed to the south. To the west elevation a one and a half-storey garage extension is proposed (including internal staircase to access first floor space). A plant/bin store is also proposed to the west of the dwelling as extended along with the introduction of two air source heat pumps. To the north alterations and extensions are proposed to the eastern gable projection following the demolition of the garage and other extensions. The roof of the dwelling is also to be replaced to accommodate the glazed roof element, rooflights and for the tiles to be replaced with slates. Solar panels are to be installed on various roofslopes.

A tennis court is proposed to the west of the poolhouse and guest accommodation, south of the main house and is indicated to be enclosed by fencing and relates to the widening of the vehicular access to form a 4.5m wide access splayed to the road with associated walls, gate piers and gate.

The application was deferred in order to seek further information and clarification regarding trees adjacent to the proposed garage extension. An additional plan was provided to show that a number of trees and bushes are to be removed in

connection with the proposed extension but that roadside boundary hedging is to be retained.

The site is situated Outside of the Centres as defined in the Island Development Plan. There are Protected Buildings in the vicinity of the site but separated from it by adjoining roads.

**Relevant History:**

|                |                                                                                                                                                         |         |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| FULL/2019/2421 | Erect ground floor extension and extend 1st floor terrace on south elevation.                                                                           | Granted |
| FULL/2020/0631 | Demolish existing garage and porch, erect 1.5 storey garage, chimney and porch to north (front) elevation.                                              | Granted |
| FULL/2020/1706 | Erect flat roof extension at 1st floor level to south (rear) elevation.                                                                                 | Granted |
| FULL/2022/2023 | Raise, extend and alter roof form, install rooflights and stone and wood cladding, alterations to fenestration and associated landscaping to guesthouse | Pending |

**Existing Use(s):**

01 dwellinghouse

**Assessment:** *(Tick as appropriate)*

|                     |                                     |                              |                                     |
|---------------------|-------------------------------------|------------------------------|-------------------------------------|
| no representation   | <input checked="" type="checkbox"/> | visual amenity acceptable    | <input checked="" type="checkbox"/> |
| accords with policy | <input checked="" type="checkbox"/> | no material neighbour impact | <input checked="" type="checkbox"/> |
| within curtilage    | <input checked="" type="checkbox"/> | traffic not affected         | <input checked="" type="checkbox"/> |
| design acceptable   | <input checked="" type="checkbox"/> |                              |                                     |

**Policies considered most relevant:**

Island Development Plan policies:

GP8: Design  
GP9: Sustainable Development  
GP13: Householder development  
IP9: Highway Safety, Accessibility and Capacity

**Consultation:**

Office of Environmental Health and Pollution Regulation – I have carried out a distance calculation and believe that the pump is unlikely to have any adverse impact

on the surrounding area. To ensure that this is the case I would recommend that the following condition is attached to the consent:

- Noise associated with air-source heat pump, the Rating Level, measured or calculated at 1- metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014.

**Conclusion/Brief comment:**

The demolition of existing extensions serving the dwelling is considered acceptable as these do not make a particular contribution to the building nor locality.

The extensions and alterations to the dwellinghouse represent a good standard of design that respects the local built environment. Although a number of trees are shown to be removed in connection with the development these trees are not the subject of a Tree Preservation Order and may be removed at any time. They are situated inside the site boundary and their removal will not have an unacceptable adverse impact on the character and appearance of the locality nor result in a development that is unduly prominent in the streetscene.

Given the substantial plot and roads separating the property from residential neighbours the extensions, including first floor terraces/balconies, will not result in unacceptable overshadowing or overlooking of any neighbouring dwelling or garden area.

The scheme offers accommodation that provides adequate sunlight and daylight for occupiers and which will offer more flexible and adaptable accommodation able to respond to the needs of occupiers over time. The proposal incorporates a ground floor bedroom and a lift between the ground and first floor with ground floor accommodation on a single level offering accessible accommodation.

The proposed tennis court would be located within the domestic curtilage/garden and away from roadside boundaries. 3m high mesh fencing is proposed to the north and south boundaries of the tennis court. The court will however be substantially screened from public view given the existing detached 6 bay garage (described as guest accommodation) to the north of the proposed court area, high boundary treatments to the site generally, the application property to the west and other residential properties to the south and east. The court and associated fencing will not have a detrimental impact on residential amenity nor the character and appearance of the locality. The court would be used for ancillary domestic purposes which will not result in undue harm to the amenities of surrounding residential neighbours.

The site is not situated in a Conservation Area and although a section of the boundary wall would be lost in connection with the widening of the vehicular access, a large proportion will remain intact and will continue to provide an adequate boundary feature. In this particular instance it is considered therefore that any adverse impact on the character of the area as a result of the development is not so substantial to warrant the refusal of planning permission. This conclusion is reinforced by the preceding text to Policy IP9, which notes that, *“the Authority will balance any impact on the character of the locality concerned with affording a significant degree of flexibility so that reasonable development aspirations can be met.”* The alterations to the access represent a good standard of design that respects the local built environment. The works will not have a detrimental impact on residential amenity.

With regard to Policy GP9: Sustainable Development, it has been demonstrated that the proposed development will comply with Building (Guernsey) Regulations 2012 and therefore has taken into account the use of energy, resources and any adverse impact on the environment.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

In view of the above it is recommended planning permission is granted for the proposed works.

**Recommendation:**

Grant with Conditions



**Date:** 20 December 2022

