

**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 chimney and dormer windows. Erect 2 storey extension, dormer window and porch to north-west (front) elevation, install overhang and rooflights to south-east (rear) elevation and alterations to fenestration.

**LOCATION:** Vue de la Tour, Rue De L'Issue, St. Pierre Du Bois.

**APPLICANT:** Mr & Mrs Brouard

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:** 18/07/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/05/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Arch+ - 188-3-301, 302, 303, 304

**Application Ref:** FULL/2024/0834

**Property Ref:** F00635A013

**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.Prior to the installation of the cladding, full details of the type, texture and colour of the cladding material to be used shall be submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - The information submitted is ambiguous. The condition is required to ensure that the proposed cladding is acceptable in the interests of visual amenity.

**Expiry Date: This permission will cease to have effect on 18/07/2027 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](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/2024/0834  
**Property Ref:** F00635A013  
**Valid date:** 07/05/2024  
**Location:** Vue de la Tour Rue De L'Issue St. Pierre Du Bois Guernsey  
GY7 9HT  
**Proposal:** Demolish chimney and dormer windows. Erect 2 storey extension, dormer window and porch to north-west (front) elevation, install overhang and rooflights to south-east (rear) elevation and alterations to fenestration.  
**Applicant:** Mr & Mrs Brouard

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

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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.

4. Prior to the installation of the cladding, full details of the type, texture and colour of the cladding material to be used shall be submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - The information submitted is ambiguous. The condition is required to ensure that the proposed cladding is acceptable in the interests of visual amenity.

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## **OFFICER'S REPORT**

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

The property known as 'Vue de la Mer' is a 1980's, detached 1.5 storey pitched roof dwelling. The property is located on a corner plot between Rue De L'Issue and Route De Rocquaine. The property includes 6 pitched roof dormer windows, 3 to the front and 3 to the rear.

To the north is Rue de L'Issue with three one and a half storey dwellings beyond. To the south there are four more one and a half storey dwellings and to the east a mix of bungalows and one and a half storey dwellings. All the properties were built around the same time and the majority have pitched roof dormers at the front and rear. The property is located Outside of the Centres as defined in the Island Development Plan.

Planning permission was granted in 2021 to raise the ridge height and extend and alter at ground and 1st floor level, which included a balcony to the front elevation. Other alterations were proposed, including the removal of all pitched roof dormer windows.

Planning permission is now sought to demolish a chimney and 6 pitched roof dormer windows. The application includes erecting a 2 storey extension, dormer window and porch to the front elevation, and install flat roof overhang and roof lights to the south-east (rear) elevation, and make alterations to the fenestration of the property.

The application was deferred as some concerns were raised over the size of the extension to the front of the building particularly with regards to its limited refinement and detailing in terms of its subservient nature to the main house. It was suggested that the ridge height be reduced to improve its subservient relationship to the main house.

The agent has provided additional information in attempt to justify the design, referring to internal space provision and similar developments in the surrounding area.

**Relevant History:**

|                |                                                                                                                                                                                                                                                                                                |                         |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| PREA/2024/0033 | Remove dormers to front and rear (northwest and southeast elevations) and install roof lights to rear roof slope (southeast elevation). Erect one and a half-storey and single-storey extension and flat roof dormer to front elevation (northwest elevation) and alterations to fenestration. | Pre-application enquiry |
| FULL/2021/1001 | Raise roof ridge height and extend and alter at ground and 1st floor level including balcony to north-west (front) elevation. Install external insulating render system and alterations to fenestration.                                                                                       | Granted                 |

**Existing Use(s):**

Residential

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

no representation  
accords with policy  
within curtilage  
design acceptable

|                                     |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |

visual amenity acceptable  
no material neighbour impact  
traffic not affected

|                                     |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |

**Policies considered most relevant:**

GP8 Design  
GP9 Sustainable Development  
GP13 Householder Development

**Conclusion/Brief comment:**

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.

The principal to remove all the existing dormers and create a porch to the front of the property has already been established as part of application FULL/2021/1001.

The proposed scheme is generally less impactful to the original house, character of the area and neighbour amenity, than that approved.

The proposed roof-lights to the rear of the property will have no worse effect than the existing dormer windows in terms of overlooking.

Whilst some reservations still remain over the subservient relationship of the proposed pitched roof extension to the front and the main house, the agent has provided satisfactory justification for its inclusion, particularly in relation to other properties in the surrounding area adopting a similar style pitched roof extension. It is however noted that this extension which is used for comparable purposes is located to the rear of a neighbouring property (Le Mouillage), therefore is somewhat different to the proposed scheme, although it is highly visible in the street scene.

Moreover, the flexibility afforded to householder development in less sensitive areas (including the application site) with regards to design matters is such that these reservations are not considered to be so substantial to reasonably justify refusing planning permission. This decision has been reached when taking into account the previously approved scheme in terms of the extent of alterations proposed, coupled with the limited harm caused to the character and appearance of the locality, and the flexibility afforded to householders to exert personal choice as set out in Policy GP8 (Design).

The proposed 1.5storey extension to the front of the house will not adversely affect neighbour amenity in terms of overshadowing, or have an overbearing effect.

Whilst it is recognised that a new window is installed on the south-west elevation of the house at ground floor level, the degree of harm will be limited, particularly as the window is at ground floor level, will face towards the front garden of the neighbouring property (Le Rocquaine) and therefore ordinarily is less sensitive to being overlooked. Any overlooking would be reduced as a result of an existing boundary hedge which lies between both properties. In addition, a degree of intervisibility already exists between the Vue De La Tour and Le Rocquaine (as well as other properties as part of this wider 1980s housing development), therefore it is not uncommon for this interface relationship to exist.

Overall, the proposal adopts a good standard of design by virtue of its scale, form, massing, siting and materials. The proposal will not have a significant detrimental impact on the character of the area, visual amenity, or the amenities of neighbouring residents.

It is however necessary and reasonable to require full details of the cladding to the front of the property given the ambiguity of the materials shown as part of this application and the prominence of the proposed gable end extension in the street scene.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

**Recommendation:**  
Grant with Conditions



**Date:** 15/07/24