

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 plans previously approved to demolish existing and erect replacement dwelling - Relocate dwelling 5m south, raise roof ridge height, increase floor area to basement area, install terrace to front and rear elevations, install chimney and material and landscaping alterations.

LOCATION: Prevoyance, Rue De La Perruque, Castel.

APPLICANT: Mr J D Matthews

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: 18/02/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/01/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JMD Architecture: 2410-01/PD/01, 02, 03, 04 & 05.

Application Ref: FULL/2025/0024

Property Ref: D00895A000

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 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.

3.The 1.8m high glass balustrading to the east elevation of the rear first floor terrace shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times.

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

4.For the avoidance of doubt, no permission is sought nor conferred for the air source heat pump.

Reason - To define the permission for the avoidance of any doubt.

5.The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 29/06/2021, issued under planning application reference FULL/2021/0983, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

Expiry Date: This permission will cease to have effect on 18/02/2028 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/2025/0024
Property Ref: D00895A000
Valid date: 10/01/2025
Location: Prevoyance Rue De La Perruque Castel Guernsey GY5 7NW
Proposal: Variations to plans previously approved to demolish existing and erect replacement dwelling - Relocate dwelling 5m south, raise roof ridge height, increase floor area to basement area, install terrace to front and rear elevations, install chimney and material and landscaping alterations.

Applicant: Mr J D Matthews

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 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.

3. The 1.8m high glass balustrading to the east elevation of the rear first floor terrace shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times.

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

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Reason - To define the permission for the avoidance of any doubt.

5. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 29/06/2021, issued under planning application reference FULL/2021/0983, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

OFFICER'S REPORT

Site Description:

The application property previously comprised of a detached 2-storey house positioned on raised ground above Rue de la Perruque, and located Outside of the Centres under the Island Development Plan. Permission was granted to demolish and rebuild the dwelling in June 2021 and works have commenced with the demolition of the former dwelling.

Relevant History:

29/06/2021 – FULL/2021/0983 – Permission granted to demolish existing and erect replacement dwelling.

25/02/2021 – FULL/2020/2564 – Application refused to demolish existing dwelling and erect 2 dwellings.

24/12/2019 – FULL/2019/1912 – Permission granted to sub-divide dwelling into two units with associated alterations to fenestration. Erect single storey flat roof extension (southwest elevation), erect sheds (west boundary) and erect pillars and retaining boundary wall (north-east boundary).

Existing Use(s):

Residential Use Class 1: dwelling house

Brief Description of Development:

Planning permission is requested for variations to works previously approved to demolish existing dwelling and erect a replacement 4 bedroom dwelling (FULL/2021/0983). The variations involve relocating the dwelling 5m to the south,

raising the roof ridge height by 0.8m, increasing the floor area to the basement by 34sqm, installing terraces at first floor level to front and rear elevations, installing a chimney, altering the external materials including finishing the walls in render and Millboard cladding and alterations to landscaping.

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

GP1 - Landscape Character and Open Land
GP8 - Design
GP9 - Sustainable Development
GP13 – Householder Development
IP6 - Transport infrastructure and support facilities
IP7 - Private and Communal Car Parking
IP9 - Highway Safety, Accessibility and Capacity

Representations:

One letter of objection was received from a neighbouring property to the north, main points as follows:

- Concerns raised about the increased ridge height and the repositioning of the dwelling on an elevated area and the resultant overbearing effect.
- Impact on the amenities of neighbouring residents due to loss privacy.
- Concerns raised that the increase in hardstanding could exacerbate existing issues with flooding at the bottom of the hill.

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. Design, scale and impact of the development on the open character and appearance of the area.
2. The impact of the development on the amenity of people living in the area.

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).**

Properties within the area are of a mixed size and design. The proposal would increase the scale and mass of the previously approved replacement dwelling. The site is prominent in views along the highway, particularly from Rue De La Perruque

to the north, where the site is elevated above the highway and the land rises from north to south. However, the dwelling would be situated on a good sized plot and despite the increase to the scale and mass of the dwelling, the size of the dwelling would be proportionate to the size of the plot as a whole. In addition, the dwelling would be viewed in context with neighbouring properties on higher ground to the south, which would limit its impact on the character and appearance of the area. The visual impact of the dwelling could be further softened by incorporating additional tree planting across the site frontage, as indicated on the submitted plans and on the bank adjacent to the bin store. This could be dealt with by condition. The overall design of the dwelling is good and the replacement dwelling would have no significant adverse effects on the open character and appearance of the area, in accordance with Policies GP1, GP8 and GP13.

The replacement dwelling would be centrally located within the plot. First floor terraces are proposed to the front and rear elevations. The first floor terrace to the front elevation is set back a sufficient distance from neighbouring properties to the east and north to prevent a significant loss of privacy. The rear first floor terrace incorporates a high obscure glazed screen to direct views away from the neighbouring property to the east and it would be set back a sufficient distance from neighbouring properties to the south to prevent a significant loss of privacy. Overall the proposal is unlikely to have a material adverse effect on the amenities of neighbouring residents.

Alterations to the vehicular access and parking provision are similar to works previously approved, and as such are considered to remain acceptable in accordance with Policies GP1, IP7 and IP9.

The proposal would result in a limited increase to the extent of hard standing compared to the previously approved scheme and is unlikely to result in any significant increase in surface water runoff. In addition, it is noted that drainage and surface water runoff are controlled under the Building Regulations.

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.

It is recommended that the application is approved.

Date: 12/02/2025

