

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 and erect replacement dwelling - Alterations to land levels to create raised patio area, erect/alter walls and balustrades to east of site.

LOCATION: La Coquere, The Strand, St. Peter Port.

APPLICANT: Pink Zebra

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: 16/04/2025

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

Drawing Nos: Lovell Ozanne & Partners Ltd: AA40-10402-S1-02C, AA40-10402-S10-61 Rev O, 71 Rev O, 81 Rev O

Application Ref: FULL/2025/0254

Property Ref: A402250000

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.No development shall begin in connection therewith until precise details of the decorative bespoke balustrade to be installed along the full extent of the east elevation boundary wall has been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed feature(s). This condition is imposed to make sure that the balustrade is of satisfactory design and does not have any adverse impact on the character of the surrounding Conservation Area.

5.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 02/03/2022, issued under planning application reference FULL/2021/1436, and subject to the terms and conditions thereof.

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

Expiry Date: This permission will cease to have effect on 15/04/2028 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/2025/0254
Property Ref: A402250000
Valid date: 03/03/2025
Location: La Coquere The Strand St. Peter Port Guernsey GY1 1LJ
Proposal: Variations to plans previously approved to demolish and erect replacement dwelling - Alterations to land levels to create raised patio area, erect/alter walls and balustrades to east of site.

Applicant: Pink Zebra

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.

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. No development shall begin in connection therewith until precise details of the decorative bespoke balustrade to be installed along the full extent of the east elevation boundary wall has been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed feature(s). This condition is imposed to make sure that the balustrade is of satisfactory design and does not have any adverse impact on the character of the surrounding Conservation Area.

5. 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 02/03/2022, issued under planning application reference FULL/2021/1436, and subject to the terms and conditions thereof.

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

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a terraced type dwelling that is currently under construction following the grant of planning permission for a replacement dwelling at the site (ref: FULL/2021/1436). The site is situated to the east of The Strand, forms part of the Hillside Town and is situated in an elevated position with views from Les Echelons and South Esplanade to the east.

Surrounding the site the area comprises residential properties of mixed building types to the north, south and west with commercial properties at a lower level to the east.

The site is situated within a Main Centre Inner Area and a Conservation Area as designated in the Island Development Plan

Relevant History:

FULL/2024/1564	Variation to previously approved plans to demolish existing and erect replacement dwelling - Alterations to fenestration to west (front) elevation.	Granted 16/10/2024
FULL/2024/1127	Variation to previously approved plans to demolish existing and erect replacement dwelling - alteration to roof form.	Granted 31/07/2024
FULL/2021/1436	Demolish existing and erect replacement dwelling.	Granted 02/03/2022

Existing Use(s):

Residential – Use Class 1

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:

GP4: Conservation Areas;
GP8: Design;
GP9: Sustainable Development;
GP13: Householder development;
IP7: Private and Communal Parking.

St Peter Port Conservation Area Appraisal (December 2021)

Conclusion/Brief comment:

The application site is situated in a prominent position within the St. Peter Port Conservation Area with a range of views from South Esplanade, Castle Pier and the coast to the east. The application site forms part of the Hillside Town of St Peter Port.

The Authority has a duty under Section 38 of The Land Planning and Development (Guernsey) Law, 2005 to pay *“special attention to the desirability of preserving and enhancing the character and appearance”* of Conservation Areas.

This duty is encapsulated in Policy GP4: Conservation Areas of the IDP which states that *“proposals for development within a Conservation Area will be supported where the development conserves and, where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area.”*

Planning permission was granted to demolish and rebuild the existing dwelling at the site on 02nd March 2022 (Application ref: FULL/2021/1436). Under the application the subject of this report planning permission is sought for variations to the approved permission.

In its original form and prior to the approval of the application to demolish and rebuild the dwelling, the north boundary (between the neighbouring property

Cliffside) of the site comprised a block work wall circa 1.8m in height which was covered in vegetation/climbing plants. To the east a low wall and hedge was present and to the south of the site (between the neighbouring property Seabright) a glazed balcony was present allowing views from the terrace of the application site to extend into the terrace associated with Sea Bright and vice versa. As approved under the original application for the replacement dwelling, the boundary treatment and site levels were to remain largely unaltered.

The variations now sought intend to raise the level of the land, to create a raised terrace area and to erect/alter walls and balustrades to the east (rear) of the site. The alterations to the north boundary (the boundary shared with Cliffside) will ensure that a similar 1.8m high boundary wall is maintained at the point closet to the residential properties, with a scalloped feature, lowering in height to 1.2m as the level of the land drops. The south boundary (the boundary shared with Seabright) will be altered to create a 1.6m high rendered blockwork wall with a 500mm section of sandblasted glazing, which will also lower as the land level drops, but will ensure that a 1.6m high wall will with glazing above is maintained providing an adequate boundary between the two properties. To the east it is proposed to create a low supporting wall with a decorative bespoke railing attached (details of which are to be confirmed).

With regards to impact on neighbours although it may be possible for views from the terrace area to extend into parts of the neighbouring garden areas, given the close arrangement of the properties and that the properties all have balconies that introduce a mutual level of overlooking, any harm to residential amenity resulting from the scheme would not be so substantial to warrant the refusal of planning permission.

Subject to a condition requiring further details of the decorative balustrade along the east facing boundary to be submitted and approved, the variations as proposed would not harm the visual character or appearance of the surrounding Conservation Area.

The scheme would not impact highway safety.

For these reasons and subject to the recommended conditions it is considered that the variations proposed to the original planning approval are considered to be acceptable.

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: 15/04/2025

