

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: Erect 2 dwellings, with vehicle accesses and associated works. Erect single storey extension to east (rear) elevation and alterations to fenestration to existing dwelling (Wethersfield).

LOCATION: Wethersfield, Guelles Road, St. Peter Port.

APPLICANT: Mr S Smith

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: 14/04/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/03/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArchTech - CG-24-2203-02B, 03A,04B

Application Ref: FULL/2025/0275

Property Ref: A10208A000

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 commencement of work to construct either of the dwellings hereby approved the alterations and extension to the existing dwelling, currently known as Wethersfield, as shown on the approved plans, shall be completed in their entirety.

Reason - To conserve the amenities of the future occupiers of this dwelling.

5. Prior to the commencement of any work in connection therewith details of the:
a)Height of the blockwork wall to the north boundary and a section drawing showing the wall and 1.8m high timber fence;
b)Shed/cycle stores and bin stores
Shall be submitted to and agreed in writing by the Authority.

The development shall be carried out only in accordance with the agreed details. The dividing boundary treatment between the front and rear gardens of the approved dwelling and to the south boundary of the garden of the existing dwelling, Wetherfield, shall be installed prior to the occupation of either new dwelling. The refuse and cycle stores shall be provided prior to the first occupation of the dwelling to which it relates.

Reason - The information provided with the application does not include full details of the proposed details. This condition is imposed to make sure that the the development is carried out having regard to residential and visual amenity and that provision is made to travel by alternative modes of transport to the car.

6.The 1.2m high wall dividing the front garden area and the 2.1m high wall dividing the rear garden areas, hereby permitted, shall be rendered on both sides within 28 days of their construction.

Reason - In the interests of visual amenity.

7. The vehicular accesses, with associated pillars and granite roadside wall shown on the approved plans, and parking shown on the approved plans for the two dwellings hereby approved shall be completed in full prior to the first occupation of the dwelling to which it relates.

Reason - To provide off-street parking, in the interests of road safety and effective traffic management.

8.a) Prior to the commencement of any work in connection therewith a landscaping scheme of the frontage area of the two dwellings hereby approved to include:

- i) the treatment proposed for all ground surfaces, including hard areas to the front, side and rear of the approved dwellings (incorporating permeable paving);
- ii) full details of tree and hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants;

Shall be submitted to and agreed in writing by the Authority.

b) The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - In order to help assimilate the development into its surroundings.

9. The development hereby permitted shall be constructed in accordance with the details set out in the letter from Niall Bougourd of ArcTech dated 10/02/2025 (paragraphs 2.28 - 2.31 (1 - 9) and in accordance with the details shown on the approved plans regarding solar panels, electric vehicle charging points and permeable hardstanding. There shall be no occupation any dwelling until the electric vehicle charging point and solar panels to serve it have been installed and made operational.

Reason - In the interests of sustainable development.

Expiry Date: This permission will cease to have effect on 13/04/2028 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/2025/0275
Property Ref: A10208A000
Valid date: 10/03/2025
Location: Wethersfield Guelles Road St. Peter Port Guernsey GY1 1BD
Proposal: Erect 2 dwellings, with vehicle accesses and associated works.
Erect single storey extension to east (rear) elevation and alterations to fenestration to existing dwelling (Wethersfield).

Applicant: Mr S Smith

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. Prior to the commencement of work to construct either of the dwellings hereby

approved the alterations and extension to the existing dwelling, currently known as Wethersfield, as shown on the approved plans, shall be completed in their entirety.

Reason - To conserve the amenities of the future occupiers of this dwelling.

5. Prior to the commencement of any work in connection therewith details of the:
- a) Height of the blockwork wall to the north boundary and a section drawing showing the wall and 1.8m high timber fence;
 - b) Shed/cycle stores and bin stores
- Shall be submitted to and agreed in writing by the Authority.

The development shall be carried out only in accordance with the agreed details. The dividing boundary treatment between the front and rear gardens of the approved dwelling and to the south boundary of the garden of the existing dwelling, Wetherfield, shall be installed prior to the occupation of either new dwelling. The refuse and cycle stores shall be provided prior to the first occupation of the dwelling to which it relates.

Reason - The information provided with the application does not include full details of the proposed details. This condition is imposed to make sure that the the development is carried out having regard to residential and visual amenity and that provision is made to travel by alternative modes of transport to the car.

6. The 1.2m high wall dividing the front garden area and the 2.1m high wall dividing the rear garden areas, hereby permitted, shall be rendered on both sides within 28 days of their construction.

Reason - In the interests of visual amenity.

7. The vehicular accesses, with associated pillars and granite roadside wall shown on the approved plans, and parking shown on the approved plans for the two dwellings hereby approved shall be completed in full prior to the first occupation of the dwelling to which it relates.

Reason - To provide off-street parking, in the interests of road safety and effective traffic management.

8. a) Prior to the commencement of any work in connection therewith a landscaping scheme of the frontage area of the two dwellings hereby approved to include:

- i) the treatment proposed for all ground surfaces, including hard areas to the front, side and rear of the approved dwellings (incorporating permeable paving);
- ii) full details of tree and hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants;

Shall be submitted to and agreed in writing by the Authority.

b) The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - In order to help assimilate the development into its surroundings.

9. The development hereby permitted shall be constructed in accordance with the details set out in the letter from Niall Bougourd of ArcTech dated 10/02/2025 (paragraphs 2.28 - 2.31 (1 - 9) and in accordance with the details shown on the approved plans regarding solar panels, electric vehicle charging points and permeable hardstanding. There shall be no occupation any dwelling until the electric vehicle charging point and solar panels to serve it have been installed and made operational.

Reason - In the interests of sustainable development.

INFORMATIVES

OFFICER'S REPORT

Site Description:

Wethersfield is a detached, hipped roof two-storey dwelling situated to the east of Guelles Road. As existing, the building has various windows, including bow window, facing the garden area south of the property.

The site is located in the Main Centre Outer Area as designated in the Island Development Plan.

Relevant History:

Pre-application advice was sought in this case regarding the development of the side garden and scope to extend the existing dwelling.

Existing Use(s):

01 dwellinghouse

Brief Description of Development:

The application relates to alterations to the existing dwelling comprising infilling windows to the south façade and the construction of a single-storey extension to the rear/east of the dwelling and to construct a pair of semi-detached two and a half-storey dwellings in the garden area south of the existing dwelling. New vehicular accesses are proposed to serve the two new dwellings.

The proposed three bedroom dwellings comprise an open plan kitchen, dining and living area on the ground floor along with a utility and WC and separate lounge. At first floor level, two double bedrooms and a bathroom are proposed and a master suite is to be provided in the roofspace of both dwellings.

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

Island Development Plan policies:

MC2: Housing in Main Centres and Main Centre Outer Areas

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

Advice Note: Bicycle Parking

Representations:

None.

Consultations:

None.

Summary of Issues:

- the principle of the proposed development
- the design and appearance of the proposed dwellings and their effect on the character and appearance of the locality
- the effect of the proposed dwellings on the amenities of the occupiers of surrounding dwellings (including the host property)
- the proposed vehicular accesses, parking/turning
- the alterations to the existing dwelling

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Extension and alterations to existing dwelling

The existing extensions and garage to be demolished at Wetherfield are of no particular merit to warrant retention and removal is accepted. The extension and alterations to fenestration associated with the existing dwelling represent a good standard of design that will respect the character of the local built environment and will not result in overshadowing or overlooking to existing adjoining dwellings. The external amenity space for the dwelling once extended and without access to the existing side garden area would be somewhat limited but not dissimilar to other properties in the area. It is also noted that the property is within walking distance of Beau Sejour and Cambridge Park. Overall, the scheme would consider the health, well-being and amenities of the occupiers of the existing property and offer flexible and accessible accommodation to meet the changing needs of occupiers.

Without the proposed extension and alterations to fenestration however, the existing dwelling would be adversely affected by the proposed substantial two-storey properties close to the south elevation and given that this is the principal façade for the existing dwelling. Without the changes proposed the scheme would fail to comply with Policy GP8 and Annex I of the IDP when considering the health and well-being of the occupiers of an adjoining dwelling as sunlight/daylight and outlook would be harmed by the proposed development. Given that the proposals fall within one application submission there would be scope however, to require the works to be undertaken to Wethersfield prior to construction/first occupation of the proposed dwellings. These proposed dwellings are assessed further below.

Proposed dwellings

The States Strategic Housing Indicator: 2024 (SSHI) has been informed by a housing needs model, which takes the most recent data available regarding local population, household composition and available housing stock to project housing needs in terms of the number of units, their tenure and unit size (bedrooms). The IDP policies place a strong expectation that, where proposals can accommodate a variety of dwellings, then this should be reflective of the demographic profile of households requiring housing. Nonetheless, the SSHI is an indicator that will be used to inform development which allows developers to respond to market conditions. The IDP acknowledges therefore, that in some circumstances there may be economic or social reasons to provide a particular type of dwelling (e.g. larger family homes). Such scheme should be accompanied by robust information to support such arguments.

This is a matter that the planning agent sought to address at the pre-application enquiry stage when the requirements of the SSHI were raised, stating that due to the building costs there would be little, to no profit in building two bed dwellings. Originally, four bedroom properties were preferred but a compromise is the two, three bedroom dwellings now proposed. Additional information regarding the bedrooms proposed has also been included in the covering letter associated with the application setting out that three bedroom dwellings are currently required and consistent with the surrounding area and current housing needs. Based on this information, although the scheme does not comply with the current SSHI for only 1 and 2 bedroom properties the supporting justification is sufficient to allow for the three bedroom properties proposed in this instance.

The existing garden area to the side of Wethersfield is proposed to be cleared and the ground level lowered in order to construct a pair of semi-detached houses. The houses have been designed to reflect the appearance of those recently constructed to the south of the site. The design, appearance and external materials represent a good standard of design. Although an element of flat roof is proposed this would be masked by the pitched roofs proposed to the front and rear, between the gable features. As a result this aspect of the development would not be highly visible and would not result in undue harm to the character and appearance of the built environment and the scheme complies with Policy GP8 in this regard.

The proposed dwellings will benefit from primary fenestration to the east and west elevations facing the street and proposed rear garden areas, secondary windows and rooflights are proposed to the north and south roofslopes/elevations. Overall the accommodation will be served by adequate sunlight and daylight. The accommodation will not be unacceptably overlooked by the existing house, Wethersfield, adjoining residential properties nor will unacceptable mutual overlooking occur between the proposed dwellings and their garden areas.

Being situated to the north of recently constructed dwellings the proposals will not result in overshadowing or loss of sunlight to the adjoining dwellings and nor will the development impact on the amenities of other surrounding properties. As outlined elsewhere, the development would however, impact on the amenities of future occupiers of Wethersfield if the proposed alterations to this existing dwelling were not first undertaken in terms of overshadowing and loss of aspect and outlook.

Fenestration to the side elevations of the proposed dwellings have been limited in order to manage potential privacy issues. The ground floor windows are at high level whilst the first floor windows serve a bathroom, which can be required to be obscure glazed.

The scheme has sought to address the enclosure of rear garden areas and the privacy of occupiers of all dwellings on the site, without elevations some details are not entirely clear (e.g. a 1.8m high timber fence on a dwarf wall of unspecified height) however, these matters can be addressed and secured by planning conditions.

The scheme offers accessible, flexible and adaptable accommodation that can respond to the changing needs of occupiers.

Access and parking

The vehicular access for Wethersfield will not alter as a result of the proposed development, the existing garage is indicated to be demolished in order to provide an enlarged area of hardstanding (SUDs indicated on the drawings) for the dwelling.

Two new vehicular accesses are proposed to offer parking for the two new dwellings and the roadside boundary is to be enclosed by a 0.9 high granite wall with an element of soft landscaping and lawn proposed. Without the removal of exemption rights the removal of the lawned area to create additional off road parking would not require the specific grant of planning permission. In this case however, the removal of exemption rights regarding the removal of such soft landscaping (beyond the 5 years associated with landscaping conditions) would not be reasonable as the roadside wall would offer an element of screening to the garden/parking area beyond and when considering the general character of the locality.

Visibility from the southern access may be curtailed by the existing wall and planting at the adjoining dwelling (beyond the ownership and control of this application). Although new accesses are proposed and there is no scope for on-site turning to serve the proposed dwellings the site is situated in a one way section of road and close to a bend thereby vehicle speeds will be reducing. There are also various other existing access points close by and the two additional accesses, used by a single vehicle each (as proposed) would not have an unacceptable impact on highway safety or capacity (IP9).

The level of off-road parking accords with the adopted parking standards in line with Policy IP7. The scheme also indicates that a garden shed will be provided in the rear garden of each dwelling to serve as secure and covered cycle storage. Details and provision of the proposed sheds can be required by condition to ensure compliance with Policy IP6. The scheme also makes reference to a bin store to the front of the two new dwellings to have a timber finish. Its precise height and appearance are not included with the submission and should also be required by condition.

Sustainable Development

Confirmation has been received that the proposed development has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

The scheme indicates the use of SUDs paving for parking and solar panels to the south and flat roof elements of the proposed dwellings. These matters, and the GP9 statement provided through the submission can be controlled by planning condition.

Conclusions

In view of the above it is recommended that permission is granted subject to planning conditions:

- that all alterations to Wethersfield are completed prior to the commencement of work on the approved dwellings
- Vehicular access provision
- Boundary walls, fences etc.
- Frontage landscaping
- Sustainable construction features
- Appearance and provision of refuse and cycle stores

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 08/04/2025

