

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, erect single storey extension to south-west (rear) elevation.

LOCATION: The Isles, St. George's Esplanade, St. Peter Port.

APPLICANT: Zekavica Investments

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: 07/05/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/03/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Brian R Martel - 4287.02.01, 02, 03A & 04B

Application Ref: FULL/2025/0330

Property Ref: A108050000

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.The north chimney stack shall be re-constructed on a like for like basis using materials that match as close as possible the existing bricks. The existing chimney pots shall be set aside during dismantling of the existing chimney stack and shall be reinstated within four weeks of the new chimney stack having been constructed.

Reason - To secure the satisfactory appearance of the completed development and to protect the visual amenity of the Conservation Area.

Expiry Date: This permission will cease to have effect on 06/05/2028 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/2025/0330
Property Ref: A108050000
Valid date: 06/03/2025
Location: The Isles St. George's Esplanade St. Peter Port Guernsey
GY1 2BJ
Proposal: Demolish chimney, erect single storey extension to south-west (rear) elevation.

Applicant: Zekavica Investments

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.

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).

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Reason - To secure the satisfactory appearance of the completed development and to protect the visual amenity of the Conservation Area.

OFFICER'S REPORT

Brief Description of the site:

The property called 'The Isles' is a two and a half storey attached dwelling which has been separated into two flats and a studio flat. The property faces northeast directly onto St George's Esplanade, the attached dwellings are to the southeast and northwest with other commercial neighbours to the southwest. The property is located within the St Peter Port Main Centre Outer Area, Conservation Area and area at risk of flooding as defined in the Island Development Plan.

Relevant History:

A previous pre-application.

Existing Use(s):

Residential use class 2: flats.

Assessment: *(Tick as appropriate)*

no representation	☒
accords with policy	☒
within curtilage	☒
design acceptable	☒

visual amenity acceptable	☒
no material neighbour impact	☒
traffic not affected	☒

Policies considered most relevant:

GP4: Conservation Areas
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:

This application, as amended, is to demolish and replace the existing chimney stack and to erect a single-storey flat roof extension to south-west (rear) elevation to enlarge the studio to a one bed flat.

The property is one of the sea front properties along St George's Esplanade, and an important part of the hillside town when viewed from the sea. It is also part of the St Peter Port Conservation Area, where development should seek to protect and/or enhance the Conservation Area, and this includes the roof scape as well as the street scene.

Initially the drawings showed the removal of the chimney, but not it being replaced. The application was deferred in order for the drawings to show the chimney being rebuilt, which is now the case. Keeping the chimney means the visual amenity of the area has been conserved and therefore Policies GP4 and GP8 are complied with.

The design, scale and massing of the new extension is not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it have unacceptable impact on either of the immediate neighbours.

The proposals for a ground floor rear extension to provide a bedroom for the existing studio flat are considered to achieve a good standard of design, using materials which complement the existing materials. The extension will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation. Enlarging the studio flat to a one bedroom flat represents an improvement in terms of the health and well-being of future occupiers.

The new bedroom will have a north facing window for daylight and it will look out onto a very high granite wall and to look at the neighbours it is a fairly oblique view. It is the same from the neighbours bedroom, a view of the high wall and an oblique angle into the new bedroom. The outlook from the neighbours kitchen will also be reduced, this would not be so detrimental to warrant refusal. Although the proposed fenestration would be north facing, overall the unit is dual aspect with principal accommodation facing the sea front with a reasonable level of aspect and outlook.

Centrally located units of accommodation such as this may not have access to external amenity space however, in this case the site is close to public open space, beaches and other amenities. Two of the flats have, and will continue to have a small amount of outdoor space. The new one bed flat will not have any outdoor space, however, the property is close to many amenities, public transport and open spaces, all within walking distance which is considered satisfactory in this case when balancing the various amenities (Annex I).

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

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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: 06/05/2025

