

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: Variation to previously approved plans to erect 2 dwellings with associated underground parking area (revised scheme) - Alter position of buildings to west of site, enlarge floor area at ground floor level of Units 1 & 2, omit external steps to Unit 1, raise ridge height of Unit 2, alter and widen vehicle access to north boundary (Retrospective).

LOCATION: Land to rear of Ivymount, 51 Mount Durand, St. Peter Port.

APPLICANT: MK Homes Ltd

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: 09/04/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/03/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTECH Freelance Architecture: DLM-22-1063-06D & 07D

Application Ref: FULL/2025/0380

Property Ref: A30603B000

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 on or before 20/03/2026.

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 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 21/03/2023, issued under planning application reference FULL/2022/2214, 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 20/03/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is drawn to the conditions attached to the original permission, FULL/2022/2214, and which require details to be submitted to and agreed in writing by the Authority. Information should be provided in a timely manner to ensure there is adequate time for the Authority to fully consider the details before reaching a decision on the details provided.

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/2025/0380
Property Ref: A30603B000
Valid date: 13/03/2025
Location: Land to rear of Ivymount 51 Mount Durand St. Peter Port
Guernsey GY1 1DY
Proposal: Variation to previously approved plans to erect 2 dwellings
with associated underground parking area (revised scheme) -
Alter position of buildings to west of site, enlarge floor area at
ground floor level of Units 1 & 2, omit external steps to Unit 1,
raise ridge height of Unit 2, alter and widen vehicle access to
north boundary (Retrospective).

Applicant: MK Homes Ltd

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 on or before 20/03/2026.

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 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 21/03/2023, issued under planning application reference FULL/2022/2214, and subject to the terms and conditions thereof.

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

INFORMATIVES

Your attention is drawn to the conditions attached to the original permission, FULL/2022/2214, and which require details to be submitted to and agreed in writing by the Authority. Information should be provided in a timely manner to ensure there is adequate time for the Authority to fully consider the details before reaching a decision on the details provided.

OFFICER'S REPORT

Brief Description of the site:

51 Mount Durand is an end of terrace pitched roof dwelling situated on the corner with Valnord Estate. The site is in a prominent location when approached from Valnord Road. On-street parking is available to the south in Mount Durand. The property benefits from a large garden to the rear/west of the site, the roadside wall has been demolished and work has commenced in connection with the erection of two dwellings on the site.

La Porte au Mur is a dwelling situated to the west of the application site, with a glazed gable facing east to the garden of 51 Mount Durand and a clearstory of windows facing north across the access driveway off Valnord.

The site is located in the Main Centre and Conservation Area as designated in the Island Development Plan. 51 Mount Durand is a protected building as are numerous other buildings in the vicinity of the site. Collectively the protected buildings and other non-protected buildings form part of the urban character and street scene that form the character of the Conservation Area.

Relevant History:

FULL/2022/2214 - Erect 2 dwellings with associated underground parking area (revised scheme) - granted

Existing Use(s):

01 dwellinghouse

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:

Island Development Plan policies:

MC2: Housing in Main Centres and Main Centre Outer Areas

GP1: Landscape Character and Open Land

GP4: Conservation Areas

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

IP6: Transport infrastructure and support facilities

IP7: Private and Communal Car Parking

IP9: Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

The application relates to changes to the previously approved scheme to erect a pair of semi-detached dwellings on the site:

- Revised position
- Enlarge ground floor area of units 1 and 2
- Omit external steps (unit 1)
- Raise ridge height (unit 2)
- Widen and alter approved vehicular access (north boundary)

The application is retrospective as work has commenced on site in connection with the changes proposed.

The changes outlined represent a high standard of design that will respect the character and appearance of the Conservation Area. The works will not have an unacceptable adverse impact on the amenities of surrounding residential occupiers in terms of overshadowing or overlooking. Although there is a reduction in amenity space on the site it remains the case that future occupiers would be well situated to access public amenity space. There is also an enlargement to ground floor space in terms of internal space provision. The changes, in terms of the amenities of future occupiers would not warrant the refusal of planning permission.

The changes to the vehicular access and parking provision will not result in harm to the character of the area and the level of off-road parking would remain compliant with the existing parking standards.

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.

In view of the above it is recommended that permission is granted for the proposed changes.

Recommendation:

Grant with Conditions



Date: 09/04/2025

