

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 raise garden level and replace fence along north-west boundary (retrospective), erect flat roof extension to rear (north-east) elevation, rebuild garage including install lean-to roof, create raised garden terrace, create bike store and erect wall along a section of the north-west boundary - Omit 1.7m balustrade and install balustrade, relocate external steps, raise section of fence, enclose stairwell/store (part-retrospective).

LOCATION: La Houssaye, Rosaire Avenue, St. Peter Port.

APPLICANT: Mr & Mrs Gale

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: 21/05/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/04/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block plan and hand annotated drawings (all dated 15/04/25), photographs dated 04/03/2025.

Application Ref: FULL/2025/0396

Property Ref: A203570000 + A203550001

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.Notwithstanding the submitted details hereby approved, no use of the terrace shall begin until the fence panel at the north end of the west boundary fence is raised by 500mm. The fence shall be retained thereafter in perpetuity unless otherwise agreed in writing by the Authority.

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

4.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 10/08/2020, issued under planning application reference FULL/2019/0650, 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 20/05/2028 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/2025/0396
Property Ref: A203570000 + A203550001
Valid date: 15/04/2025
Location: La Houssaye Rosaire Avenue St. Peter Port Guernsey GY1 1XU
Proposal: Variations to plans previously approved to raise garden level and replace fence along north-west boundary (retrospective), erect flat roof extension to rear (north-east) elevation, rebuild garage including install lean-to roof, create raised garden terrace, create bike store and erect wall along a section of the north-west boundary - Omit 1.7m balustrade and install balustrade, relocate external steps, raise section of fence, enclose stairwell/store (part-retrospective).

Applicant: Mr & Mrs Gale

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. Notwithstanding the submitted details hereby approved, no use of the terrace shall begin until the fence panel at the north end of the west boundary fence is raised by 500mm. The fence shall be retained thereafter in perpetuity unless otherwise agreed in writing by the Authority.

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

4. 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 10/08/2020, issued under planning application reference FULL/2019/0650, and subject to the terms and conditions thereof.

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

OFFICER'S REPORT

Brief Description of the site:

The site consists of a mid-terrace two storey dwelling with a modest sized garden to the rear. There is a parking area and garages to the rear of the property with a detached single storey garage (recently refurbished) under the applicants ownership orientated parallel with and adjacent to the rear boundary wall. The site is in an urban residential area to the northeast of Rosaire Avenue and is within the St Peter Port Main Centre Outer Area and Conservation Area as defined in the Island Development Plan.

Relevant History:

FULL/2024/1788 - Variations to plans previously approved to Raise garden level and replace fence along north-west boundary (retrospective), erect flat roof extension to rear (north-east) elevation, rebuild garage including install lean-to roof, create raised garden terrace, create bike store and erect wall along a section of the north-west boundary. - Omit 1.7m balustrade and install balustrade, erect fence to top of existing wall, alterations to create enclosed recycling store – Withdrawn December 2025.

FULL/2019/0650 - Raise garden level and replace fence along north-west boundary (retrospective), erect flat roof extension to rear (north-east) elevation, rebuild garage including install lean-to roof, create raised garden terrace, create bike store and erect wall along a section of the north-west boundary Approved August 2020.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

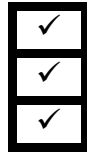
no representation



visual amenity acceptable



accords with policy
within curtilage
design 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 is a variation of the previously approved application FULL/2019/0650, see above, the variation is to omit the 1.7m high balustrade and install a 1.1m balustrade instead, move the external steps, raise a section of the boundary fence and enclose the stairwell/store (part retrospective).

Enclosing the stairwell and store has already been done, hence the part retrospective aspect.

From a site visit and being able to walk on the raised part of the garden it was noted that by erecting a 1m to 1.2m long section of 500mm high fencing along the north end of the west boundary all possible overlooking would be mitigated. With the fencing in place moving the external steps would be acceptable.

The proposals are considered to achieve a good standard of design, The new proposals are not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will they have any impact on either of the immediate neighbours.

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: 20/05/2025