

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: Raise and alter roof ridge height to create accommodation at 2nd floor level, extend and alter at ground and 1st floor levels including extending raised terrace area to east (rear) elevation. Installation of solar panels to roof.

LOCATION: La Maison Des Terres, Havelet, St. Peter Port.

APPLICANT: Mr N Cragg & Mrs Cragg

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: 14/08/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/04/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Strategic Planning & Property Ltd - 469_06, 09, 100, 110, 120, 130, 300, 310,

Application Ref: FULL/2025/0505

Property Ref: A407510000

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 any onsite works in connection therewith, further details to include those specified below, shall be submitted to and agreed in writing by the Authority. Thereafter, the development shall be carried out in accordance with the agreed details.

- i) large scale details of the render bands, wall/parapet and railings;
- ii) full details of the pavilion wall/roof;
- iii)a window schedule to ensure that all windows are a similar sectional width (ideally thin profile metal in a dark colour);
- iv)a materials board including all the proposed external materials, particularly the zinc cladding once weathered;

Reason - To preserve or enhance the character and appearance of the Conservation Area.

5.Prior to their installation full details of the final location, design, and materials to be used for the solar panels shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and thereafter permanently maintained in the agreed form unless otherwise agreed in writing by the Planning Authority.

Reason: In the interests of visual amenity and in accordance with Policy GP8 and GP9.

Expiry Date: This permission will cease to have effect on 13/08/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Care should be taken during site works to make sure that hours of operation, methods of work, dust and disposal of waste do not unduly disturb nearby residents.

It is recommended that site clearance, construction and deliveries are limited to the following times:

Mondays to Saturdays - 0800 hours to 1800 hours.

Action which creates a nuisance may be subject to action by the Office of Environmental Health and Pollution Regulation.

This permission is given under the Land Planning and Development (Guernsey) Law, 2005. This decision does not override or prejudice any legal rights or constraints which exist in relation to the application site.

The applicant is advised that consideration is given to the provision of an anti-glare coating to the solar panels in order to avoid any glint and glare affecting neighbouring properties as a result of the installation.

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/2025/0505
Property Ref: A407510000
Valid date: 22/04/2025
Location: La Maison Des Terres Havelet St. Peter Port Guernsey GY1 1BA
Proposal: Raise and alter roof ridge height to create accommodation at 2nd floor level, extend and alter at ground and 1st floor levels including extending raised terrace area to east (rear) elevation. Installation of solar panels to roof.
Applicant: Mr N Cragg & Mrs Cragg

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 any onsite works in connection therewith, further details to include those specified below, shall be submitted to and agreed in writing by the Authority. Thereafter, the development shall be carried out in accordance with the agreed details.

- i) large scale details of the render bands, wall/parapet and railings;
- ii) full details of the pavilion wall/roof;
- iii) a window schedule to ensure that all windows are a similar sectional width (ideally thin profile metal in a dark colour);
- iv) a materials board including all the proposed external materials, particularly the zinc cladding once weathered;

Reason - To preserve or enhance the character and appearance of the Conservation Area.

5. Prior to their installation full details of the final location, design, and materials to be used for the solar panels shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and thereafter permanently maintained in the agreed form unless otherwise agreed in writing by the Planning Authority.

Reason: In the interests of visual amenity and in accordance with Policy GP8 and GP9.

INFORMATIVES

Care should be taken during site works to make sure that hours of operation, methods of work, dust and disposal of waste do not unduly disturb nearby residents.

It is recommended that site clearance, construction and deliveries are limited to the following times:

Mondays to Saturdays - 0800 hours to 1800 hours.

Action which creates a nuisance may be subject to action by the Office of Environmental Health and Pollution Regulation.

This permission is given under the Land Planning and Development (Guernsey) Law, 2005. This decision does not override or prejudice any legal rights or constraints which exist in relation to the application site.

The applicant is advised that consideration is given to the provision of an anti-glare coating to the solar panels in order to avoid any glint and glare affecting neighbouring properties as a result of the installation.

OFFICER'S REPORT

Site Description:

The existing dwelling is a typical villa style 1930's dwelling, located in an elevated plot and accessed via a shared entrance from Havelet. The site is located in the Main Centre Outer Area and within a Conservation Area.

Relevant History:

N/A

Existing Use(s):

01 Dwelling houses

Brief Description of Development:

Planning permission is requested to raise and alter the roof height to create 2nd floor accommodation along with extensions and alterations at ground floor level including extending the raised terrace to the east (rear) elevation. Solar panels are also proposed to the flat roof.

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

GP4- Conservation Area

GP8- Design

GP9- Sustainable Development

GP13- Householder Development

Representations:

One letter of representation has been received; this has been summarised:

- Property has already been extended;
- Site is in the Conservation Area and the proposed materials and plans are out of keeping with historic setting- such as glass/metal Skydeck and additional height;
- Plans are not sympathetic with existing or previous development (old brewery);
- Significant impact on neighbour's front garden area from overlooking, loss of privacy;
- No mention of right of access/shared road area- for which maintenance costs are shared with other residents. There is potential for the right of way to be blocked by construction works/vehicles/deliveries, and also for the use of heavy vehicles to damage the shared road at cost to other residents;
- No engagement with the neighbours
- Only two occupants of dwelling, so works are for property development gain;
- Development is out of keeping with surrounding dwellings.

Consultations:

N/A

Summary of Issues:

The main issues on this application centre around the appropriateness of the proposed design, the impact on the Conservation Area due to the elevated nature of the site, along with the impact on neighbours.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

Policy GP13 indicates that proposals for the alteration and/or extension of residential properties will be supported subject to certain criteria being met including with regards to the impact on the amenities of neighbouring properties, taking into account the surrounding character and where they accord with all the relevant policies of the Island Development Plan. In this instance Policies GP4, GP8 and GP9 are therefore also relevant.

In addition, the preceding text of Policy GP13 refers to the need to consider the material planning considerations as specified in Part IV, Section 13 of the Land Planning and Development (General Provisions) Ordinance 2007. These include the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used, as well as its likely effect on the character and amenity of the locality in question and its likely effect on the reasonable enjoyment of neighbouring properties.

Policy GP4 supports development within a Conservation Area which conserves and, where possible, enhances the special character, architectural or historic interest and appearance of the Conservation Area. In this case, the site is included in the St Peter Port Conservation Area, within character area 16- Le Val des Terres, as considered in the Conservation Area Appraisal. In this area there are a variety of architectural styles dating from different periods, including Georgian and Victorian terraces and grand houses in extensive grounds. The building in question is not listed as a building of merit, but the neighbouring terrace to the east is. 'Les Vieilles Terres' is listed as a building of merit which contributes to the townscape.

La Maison des Terres is a typical 1930's villa set on its own and different to the largely Victorian built environment; its windows do not follow a strict pattern and there are quoins but otherwise the strongest characteristic is the hipped plain tile roof with central chimney. The house is characterful as it is stylistically 'of its time' and is set in an attractive garden, however the building is not of any particular merit and doesn't contribute to the wider Conservation Area as a whole.

The proposal involves the removal of all the early C20th villa style features such as the hipped roof and the quoins, replacing them with an Art Deco type design style

which is characterised by horizontal forms, curves in plain metal windows and smooth surfaces. Historically the styles would have been developing at similar times with the Villa style being more recognisably traditional, but interestingly, in this case the plan form of the building lends itself quite easily to both styles which shows the general development in the plan form of buildings irrespective of style. This is important as the proposed style works well rather than fighting against the existing building, and this is evident in the external design which is considered to be successful.

The features which contribute to the overall style are the metal balustrades set around flat roofs, the horizontal render bands set to frame windows and doors, the dark coloured metal glazing which is curved in places, and the zinc cladding which will help to reduce the bulk of the roof pavilion. However, the fenestration proposed has a generally vertical emphasis, and the proposed render bands become a significant design element to tie them together.

The proposed 1930's style fits with the plan of the building and in terms of the wider context this style of architecture is reminiscent of seaside buildings of which there are other examples in the area and on island. The contribution it would make in comparison to the existing building would be similar with a neutral effect or possibly an improvement given that the design is clearly intended to be of high design qualities which is evident in the size, the plan and materials chosen.

There is a general increase in the size of the building as the uninhabited hipped roof with its ridge at 8232mm would be replaced by the pavilion with a flat roof at 8715mm, which is a relatively small increase of 483mm in height but does represent a significant increase in the bulk/volume as it goes from a pyramid roof to a box. However, as the building is set apart from its neighbours, this is unlikely to have a significant effect or be harmful to the wider Conservation Area and nearby resident dwellings are set a sufficient distance away to avoid any significant physical or visual harm from this increased bulk.

In respect of Policy GP4, the proposal is therefore considered to conserve and possibly enhance the Conservation Area, subject to the use of appropriate high-quality materials, and also subject to the levels of existing landscaping being retained.

With regard to the proposed design, the introduction of the additional floor increases the bulk and mass of the development, however the building is set away from residential neighbours and this ensures there is no significant overbearing impact or overshadowing of neighbours. The proposed design largely incorporates windows where existing windows are present, with the addition of a new second floor which features significant glazing to the east elevation. This has a separation distance of approx. 20m to the side neighbour at Les Vieilles Terres which is screened by trees, and over 30m to the front gardens of this dwelling, which are considered as sensitive as rear gardens in this instance. Given these distances, there is not anticipated to be any harmful overlooking or loss of privacy.

As considered above, the proposal includes high quality materials and details, and this will be significant in ensuring the overall success of the design. For this reason, additional detail regarding the materials will be conditioned, including large scale details of the render bands, wall/parapet and railings, details of the pavilion wall/roof, and a window schedule to ensure the windows are all a similar sectional width- ideally thin profile metal in a dark colour, and a materials board with all the proposed external materials, particularly the zinc cladding once weathered.

The proposed design is acceptable as the property is located within a Conservation Area and Policy GP8 also provides support for personal choice in design matters. Taking into account the character of the surrounding area the scale, mass and design of the extended dwelling is unlikely to have a significant adverse effect on the character of the local built environment, in accordance with Policies GP1, GP4, GP8 and GP13.

Solar panels are proposed to the flat roof, and an appropriate condition applied requiring additional details of these are attached. Information has been submitted to demonstrate that the design has taken into account the use of energy and resources, in accordance with Policy GP9.

Some short term disruption can be expected by neighbours, and an informative note has been applied to remind the applicants that access to other properties must be maintained. The comments made regarding the maintenance of the shared access is a civil matter, and not a material consideration which can influence a planning application.

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.

It is recommended that the application is approved.

Date: 11/08/2025