

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 extension at 1st floor level to north (rear) elevation and erect dormer window to south (front) elevation.

LOCATION: Baobab Beach House, Pre Du Gele, Le Gele Road, Castel.

APPLICANT: Mr & Mrs G Meerveld

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: 08/07/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 27/05/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Architecture: 25-1613-P2: PD/01B & PD/02B

Application Ref: FULL/2025/0811

Property Ref: D004580004

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 first floor bedroom windows in the east and west elevation shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent), and shall be fixed shut or be fitted with restrictors to ensure they are non-openable past 100mm, and thereafter be retained at all times. No changes shall be made to these window.

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

5.The first floor dressing room window in the north elevation shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent), and shall have top hung opening windows fitted with a restrictor to ensure they are non-openable past 100mm, as shown on the plans and thereafter be retained at all times. No changes shall be made to this window.

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

Expiry Date: This permission will cease to have effect on 07/07/2028 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/2025/0811
Property Ref: D004580004
Valid date: 27/05/2025
Location: Baobab Beach House Pre Du Gele Le Gele Road Castel
Guernsey GY5 7LP
Proposal: Erect extension at 1st floor level to north (rear) elevation and
erect dormer window to south (front) elevation.

Applicant: Mr & Mrs G Meerveld

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. The first floor bedroom windows in the east and west elevation shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent), and shall be fixed shut or be fitted with restrictors to ensure they are non-openable past 100mm, and thereafter be retained at all times. No changes shall be made to these window.

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

5. The first floor dressing room window in the north elevation shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent), and shall have top hung opening windows fitted with a restrictor to ensure they are non-openable past 100mm, as shown on the plans and thereafter be retained at all times. No changes shall be made to this window.

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

OFFICER'S REPORT

Site Description:

The property known as 'Baobab Beach House' is a 1970's one and a half storey dwelling which was extended at the rear in 2008 and 2018. The dwelling is set back from and faces south onto Pre du Gele. There are detached neighbours to the west, north and east and a vinery to the south across the road. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

A pre-application earlier in the year.

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

This application is to erect a flat roof first floor extension to the rear elevation and replace two front dormer windows with one larger one.

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

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Representations:

There have been six letters of representation and the issues are:

1. The proposed bedroom would overlook our garden and have a huge impact on our privacy. The bedroom would clearly be seen from our garden which would be extremely uncomfortable/awkward for us. The application for this type of building is totally incongruous with other properties in the area. It would have a negative impact not only on our property but on other neighbours properties, of which there are five.

2. One of my concerns is the potential for the new extension to overlook my property and significantly reduce my privacy. The proposed design appears to include windows that directly face my home, which could lead to a loss of privacy for my family. Given the position of the proposed development in relation to Meadows property, the increased mass of the building will result in overshadowing, particularly during the afternoon and evening. This would significantly reduce the amount of daylight entering the property, this would lead to additional heating costs and therefore negatively impacting the environment. It will also require the Meadows residence to extend their patio for sunlight further reducing green areas, increase use of concrete.

The proposal is out of character with the current density and size of the surrounding properties. The oversized extension is not in keeping With the houses surrounding the property, noting the property has already undergone multiple extensions and the change to

front dormer windows is not consistent with houses in the lane.

I am also concerned that the proposed extension, if approved, could negatively impact the

value of properties in the vicinity, including my own. The change in the visual landscape and

the possible disruption to the neighborhood's character may result in a decline in property values.

3. This proposed extension would directly overlook three of our downstairs bedrooms kitchen, lounge and entire back garden This would lead to a total loss of privacy within our home.

The loss of early morning sunlight would also be a factor together with the possible devaluation in neighbouring properties.

4. The development will be totally out of character in an area of bungalows and chalet bungalows with small dormers. Moreover the development with its glass rear will mean all privacy in neighbour's gardens is about to be totally lost.

5. It will cause impossible access issues to have a construction site on Pre du Gele whilst maintaining access to the homes and businesses beyond the applicant's address at Baobab Beach House.

6. By permitting this huge/out of context extension you are creating a precedent to effectively allow all houses to do the same.

Consultations:

None

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

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

The first floor rear extension will house a master bedroom suite: bedroom, dressing room, ensuite and lobby. Replacing the two from pitched roof dormers with a single flat roof dormer with two windows will enlarge one of the existing bedrooms and the family bathroom.

This is a large first floor extension, the Island Development Plan supports multi-level living as long as any concerns of overlooking are mitigated. Overlooking becomes a concern when the distances between the first floor windows/doors are below 10m to the boundary with any neighbours.

The main concerns of this application were the bedroom window facing west and the dressing room window looking north that is within 3m of the west boundary. Since a deferral both of these windows are now glazed with opaque glass and the dressing room windows will be top hung with limited opening, the bedroom window will be fixed shut.

Views from the main bedroom windows facing north are mainly of the applicants garden, and the boundaries with the neighbours at least 10m away or more, decreasing any overlooking concerns. The neighbour to the north is over 27m away.

The proposals are now 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.

The scale and massing of the new extension is not considered to have a detrimental effect on the character of the surrounding area as it will not be highly visible, nor will it have any significantly impact on either of the immediate neighbours as it is set approx. 2m away from the shared boundary with the neighbour to the east. This brings the physical and visual impact away from the neighbouring property to some degree, and there are no neighbouring dwellings to the east of the neighbour which means there is uninterrupted outlook to the north and east which means an overbearing impact as a result of the extension is unlikely. Although there will be a small increase in overshadowing to the east in evenings, the eastern neighbours have a large garden and the percentage of overshadowing is small, leaving plenty of garden and private amenity space for the owners to enjoy. On balance, the concerns are not so substantial to warrant a refusal.

Many of the properties in the lane have been updated and modernised in recent years, which has modernised the whole character of the area. A modern flat roof dormer is not thought be out of place as the property two doors down to the west has flat roof dormers.

Although the modern box extension is a little out of character, the Island Development Plan does not require replication of existing built form and enables the property owner to exert personal choice in design matters. This adopts the flexible and proportionate approach that underpins the Plan Objectives of the Island Development Plan.

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.

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

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application. Where relevant the issues are considered in section 2 above.

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

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 02/07/2025