

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 garages, erect 2 storey building with parking at ground floor level and 2 flats at first floor level and associated works.

LOCATION: Rozel Court, Rozel Road, St. Peter Port.

APPLICANT: Reality Holdings 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: 22/08/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/05/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture: 2458 02.01, 02.02, 02.03 & 02.04

Application Ref: FULL/2025/0890

Property Ref: A20840A000

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.No development shall begin on site until details of any proposed new or replacement hardsurfacing have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed surfacing. This condition is imposed to make sure that the works are of satisfactory appearance and, where possible, support the surface water drainage strategy for the site.

5.Prior to occupation of the flats hereby approved, the agreed scheme for covered cycle storage shall be fully implemented. The provision for cycles shall thereafter be retained.

Reason - To encourage the use of bicycles as an alternative to the car.

6.Prior to occupation of the flats hereby approved, the photovoltaic panels shall be installed and made operational and all other sustainable design features set out in the James Gavey Architecture Ltd letter dated 21/05/2025 shall be implemented.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9.

7.The facing materials to be used in the construction of the additional sections of stone wall to the north and west boundaries shall match as closely as possible those of the existing walls to be extended.

Reason - To secure the satisfactory appearance of the completed development.

Expiry Date: This permission will cease to have effect on 21/08/2028 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/2025/0890
Property Ref: A20840A000
Valid date: 23/05/2025
Location: Rozel Court Rozel Road St. Peter Port Guernsey GY1 2DY
Proposal: Demolish garages, erect 2 storey building with parking at ground floor level and 2 flats at first floor level and associated works.

Applicant: Reality Holdings 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 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. No development shall begin on site until details of any proposed new or

replacement hardsurfacing have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed surfacing. This condition is imposed to make sure that the works are of satisfactory appearance and, where possible, support the surface water drainage strategy for the site.

5. Prior to occupation of the flats hereby approved, the agreed scheme for covered cycle storage shall be fully implemented. The provision for cycles shall thereafter be retained.

Reason - To encourage the use of bicycles as an alternative to the car.

6. Prior to occupation of the flats hereby approved, the photovoltaic panels shall be installed and made operational and all other sustainable design features set out in the James Gavey Architecture Ltd letter dated 21/05/2025 shall be implemented.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9.

7. The facing materials to be used in the construction of the additional sections of stone wall to the north and west boundaries shall match as closely as possible those of the existing walls to be extended.

Reason - To secure the satisfactory appearance of the completed development.

OFFICER'S REPORT

Site Description:

Rozel Court comprises a block of 9 flats, located behind the roadside residential development to the west of Rozel Road and accessed from that road. Residential properties abut the site to the north and south. Carival Estate road runs along the west boundary, separating the site from further residential properties in that direction. The site is bounded to the south by a high stone wall, with a c2-2.5m wall running along the west and returning along part of the north boundary and a 2m block wall running along the remainder of the north boundary (that wall being higher when viewed from the adjacent property to the north, which is at a lower level). Single storey garages are constructed against the length of the west boundary.

The site is located within the St Peter Port Main Centre Outer Area in the Island Development Plan, immediately to the north of the St Peter Port Conservation Area boundary, which extends along the road to the east and away to the north-east.

Relevant History:

Pre-application advice regarding the current proposal.

Existing Use(s):

Residential Use Class 2: Flats

Brief Description of Development:

Permission is sought to demolish the existing garages along the west boundary of the site and to erect a two storey building with parking (8no spaces), cycle and bin storage at ground level and 2no 2 bed flats with external amenity space at first floor level. As part of the proposal part of the roadside (west) boundary wall would be increased in height. A planter is also to be removed to the north of the main building and 3no additional parking spaces created in that location.

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

MC2 Housing in Main Centres
GP8 Design
GP9 Sustainable Development
GP13 Householder Development
IP6 Transport Infrastructure and Support Facilities
IP7 Private and Communal Car Parking
IP9 Highway Safety, Accessibility and Capacity

Parking Standards Supplementary Planning Guidance

Representations:

None pertaining to the material planning considerations.

Consultations:

None undertaken.

Summary of Issues:

Principle of development;
Design and impact on the character of the area;
Amenity of the proposed units;
Provision of access and parking;

Impact on neighbour amenity;
Sustainable development.

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).**

Principle of development

The proposal would result in the loss of garaging associated with the existing flats at the site. It is however noted that the flats benefit from separate external storage in the form of sheds elsewhere within the site area. Whilst this storage does cover the majority of the amenity space associated with the flats, and does not take a form of development which would normally be encouraged, it appears that this work was undertaken under Class 2(17) of the Land Planning and Development (Exemptions) Ordinance and is therefore lawful. As part of the scheme a single parking space (the majority of which would be covered) would also be retained for each of the existing flats. In this case, the loss of the existing garages could therefore be accepted.

Policy MC2 allows for new housing development in this location and Policy GP13 would allow for development associated with the existing use at the site. The proposal is for the erection of 2 no two bedroom dwellings. Whilst this does not comprise a mix of housing types, it does address the most significant needs in terms of identified housing requirements and, given the constraints of the site, would be acceptable in this case.

Design & impact on the character of the area

Policy GP8 (Design) sets out a number of criteria which development will be expected to address to ensure that a scheme achieves high standards of design which respect the character of the environment.

The application site is set behind the roadside development along Rozel Road, and the area proposed for development is itself set to the rear of the site. Views from Rozel Road are therefore extremely limited and the new building will only be glimpsed in a long view along the driveway from that road. From Carnival Estate to the west, the development will however be visible above the roadside wall.

Development within this area is residential in nature and character and, with the exception of the more historic development along Rozel Road, is generally constructed between 1940-1980.

The existing garages at the site are single storey flat roof structures, the upper walls and roofs of which are visible above the roadside wall to the west and the boundary wall to the north. Whilst the impact of these structures is limited in public views, they do not make a positive enhancement to the street scene. The proposed new building, whilst of greater prominence within the area, would comprise a more considered approach to the built form when viewed from outside of the site and would not have any adverse impacts on the character of the area. The scalloped increase in height to the west boundary wall is an acceptable solution, subject to the use of matching materials, however it is noted that a continuation of the first floor render would also be acceptable should this prove desirable as the scheme is further worked up (subject to separate approval).

Overall, the proposed dwellings would achieve an acceptable level of design which would not have an adverse impact on visual amenity or the character of the area. The proposal would result in removal of a very limited area of soft landscaping within the site area which, in this context, would not give rise to significant impacts.

The buildings are designed with consideration to the Building Regulations in respect of accessibility and Lifetime Homes standards, albeit that stepped access is a necessity of the constraints in this instance.

Amenity of the proposed units

The proposed units would meet the floor space standards set out in the Nationally Described Space Standards and the internal spaces would achieve good levels of daylight. Whilst some amendments may be required to fully comply with the requirements of the Building Regulations, these would not necessitate any alterations to the external envelope of the building or the layout of the units and revised plans are not therefore required to enable determination of this application. The units would be served by limited but adequate external amenity space, and the arrangement of the adjacent properties and nature of the boundary treatments would prevent any significant overlooking of those spaces.

Provision of access and parking

The new flats would share the existing access on to Rozel Road and would not result in a significant intensification of use of that access. The submitted plans demonstrate that sufficient space would be retained to enable on site turning. The proposal would not therefore give rise to any road safety concerns.

The proposal would retain a single parking space for each of the existing flats at the site, together with a space for each of the new units. The proposed parking provision falls within the recommended Parking Standards. Given the Main Centre location, it is not considered necessary to require creation of the additional parking spaces within a specified timeframe.

Cycle storage is proposed for each of the new flats, implementation of which can be managed by planning condition.

Impact on neighbour amenity

The site is bounded by residential properties in all directions and the proposed new building would abut the south, west and north property boundaries, incorporating rooflights to the south and west elevations, high level windows (with a minimum cill height of 1.7m above finished floor level) to the south and north elevations and a single window to the west elevation. All rooflights would be high level and would not result in any overlooking of nearby property. For the avoidance of doubt, once the units are constructed, given the height above ground level, no additional windows could be installed to the proposed units under the Land Planning and Development (Exemptions) Ordinance.

The property to the south is of generous proportions and the dwellinghouse on that property is set away from the proposed location of the building. The intervening boundary wall is noted to be 4.52m high and the wall of the new build would project only 0.6m above that wall, with the associated roof sloping back away from the boundary. The proposal would not therefore result in significant overbearing impacts to the adjacent property. The proposed window in the south elevation is high level and limited in size, preventing any significant impacts on the adjoining property.

The property to the north is at a slightly lower level than the application site and is also of generous proportions, and the dwelling on that site is set off the boundary to the north of the property. A parking area is located immediately adjacent to the location of the proposed building. The intervening boundary wall is noted to be 1.85m and in this case the proposed new dwelling would extend 6m above that wall at the highest point (the gable abutting the boundary in this case). Whilst this would result in some overbearing and overshadowing of the adjacent property, given the space around that property and the context of the existing block of flats, it is considered any such impact would not be sufficient to warrant objection to the application. As for the south elevation above, the cill height and limited size of the window proposed in the north elevation would not give rise to any significant impacts.

The property to the west is located on the opposite side of the Estate Road, c8m from the boundary of the application site and at a slightly lower level. Given the position of the new building relative to that property, and the location of the proposed window, it is not considered that the proposals would give rise to sufficient overshadowing or overlooking as to warrant objection to the application. Whilst obscure glazing is proposed to the west facing window, it is not considered reasonable, on amenity grounds, to require such glazing be installed to the only window serving a bedroom.

In terms of the existing units at the application site, these are generally oriented away from the new building with only limited fenestration in the facing gable. That gable would be only 2.6m from the nearest part of the new build, however the fenestration would face onto a blank wall in that section of the new building. The gable would be over 13m from the amenity spaces proposed for the new units and the windows within that gable would be offset from those spaces. Overall therefore it is considered that the proposed new build achieves an acceptable relationship with the existing units at the site.

Overall the proposals are considered to limit the extent of impact on adjacent properties to a level which is acceptable under policy. It is not considered necessary to control the cill height of the windows through condition, as this is explicitly stated on the plans and the development must be constructed in accordance with those plans.

Sustainable development

Confirmation has been received that the proposed development has been designed to take into account matters of energy efficiency, including the form of construction, avoidance of complex build scenarios and use of materials, including a living green wall, and the current Building Regulations in accordance with Policy GP9 (Sustainable Development). There is no indication whether any resurfacing is proposed / that new areas of hardsurfacing will be permeable materials, however further details can be required by condition. Solar panels are proposed to the south and west elevations of the building, implementation of which can be required by condition.

A Waste Management Plan is not a policy requirement in this case.

Conclusion

The proposed development is for 2no two bedroomed flats, according with the identified requirement for housing in the Island set out within the States Strategic Housing Indicator 2024 and the application would therefore comply with Policy MC2 (Housing in Main Centres and Main Centre Outer Areas). Alterations to the existing garage provision would accord with Policy GP13 (Householder Development).

The detailed design of the amended scheme accords with Policies GP8 (Design), GP9 (Sustainable Development), IP6 (Transport Infrastructure and Support Facilities), IP7 (Private and Communal Car Parking) and IP9 (Highway Safety, Accessibility and Capacity), as set out above, and consequently it is recommended that the application be approved, subject to the identified conditions.

Date: 18/08/2025

