

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 garage, erect dwelling to east of existing dwelling and associated works. Demolish extensions, erect single storey extension to south-east (rear) elevation, alterations to fenestration and create new vehicle access to existing dwelling.

LOCATION: Arcadia, Avenue Vivier, Ville Au Roi, St. Peter Port.

APPLICANT: Mr G Hollingsworth

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: 29/07/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 25/06/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: BHP: G4414-19:
G4414 02 01, 02, 03, 04, 05, 06, 07, 08,

Application Ref: FULL/2025/0973

Property Ref: A404920000

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. Within four weeks of the new access being brought into use, the ends of the new opening shall be finished off using materials and a method of construction which match the remainder of the wall.

Reason - In the interests of visual amenity.

5.a) Prior to the commencement of any work in connection therewith a landscaping scheme for the site frontage, to include:

- i) the treatment proposed for all ground surfaces, including hard areas;
- ii) full details hedge planting including planting schedules, noting the species, sizes, numbers and densities of plants; and
- iii) all existing trees, hedges and other landscape features, indicating clearly those to be removed

shall be submitted to and agreed in writing by the Authority.

b) .The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that a landscaping scheme for the development is agreed, in order to help assimilate the development into its surrounding.

6.The new boundary wall to divide the site shall be erected and rendered on both sides prior to the first occupation of the dwelling hereby approved.

Reason - In the interests of visual amenity.

7.The timber boundary fence to divide the site shown to be erected on top of a new dividing boundary wall shall be installed prior to the first occupation of the dwelling hereby approved.

Reason - To preserve the privacy of the occupiers of the existing dwelling.

Expiry Date: This permission will cease to have effect on 28/07/2028 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/2025/0973
Property Ref: A404920000
Valid date: 25/06/2025
Location: Arcadia Avenue Vivier Ville Au Roi Ville Au Roi St. Peter Port
Guernsey GY1 1PG
Proposal: Demolish garage, erect dwelling to east of existing dwelling
and associated works. Demolish extensions, erect single
storey extension to south-east (rear) elevation, alterations to
fenestration and create new vehicle access to existing
dwelling.
Applicant: Mr G Hollingsworth

RECOMMENDATION - Grant: Planning Permission with Conditions:

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Reason - To preserve the privacy of the occupiers of the existing dwelling.

OFFICER'S REPORT

Site Description:

Arcadia is a detached, hipped roof bungalow situated to the south of Avenue Vivier. A detached garage is situated to the east of the dwelling with vehicular access adjacent to the east boundary. A pair of semi-detached dwellings are situated to the east of the site and to the west is a detached dwelling set on the corner of Avenue Vivier and Avenue Germain.

The site is located in the Main Centre Outer Area as designated in the Island Development Plan.

Relevant History:

FULL/2021/2142 – Demolish garage, erect dwelling to east of existing. Erect single storey extension to south (rear) elevation and west (side) elevation and create new vehicle access - granted

Existing Use(s):

01 dwellinghouse

Brief Description of Development:

The application relates to the demolition of the detached garage and the erection of a two-storey dwelling to the east of Arcadia. A single-storey flat roof extension is also proposed to Arcadia itself. A section of roadside wall is shown to be demolished to provide a replacement vehicular access for Arcadia.

The proposed dwelling contains three bedrooms and two bathrooms on the first floor and an open plan kitchen, dining and sun lounge on the ground floor with utility and WC along with a separate lounge (could be used as a study or fourth bedroom).

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

Island Development Plan policies:

MC2: Housing in the Main Centres and Main Centre Outer Areas

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

Representations:

None.

Consultations:

None.

Summary of Issues:

The key issues in this case relate to principle of constructing an additional dwelling, the design and appearance of the proposals, the impact of the developments on the character and appearance of the locality and on residential amenity with regard to sunlight and daylight and loss of privacy.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

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

Policy MC2: Housing in Main Centres and Main Centre Outer Areas makes provision for the erection of new units of residential accommodation and therefore provides a policy gateway for the erection of an additional dwelling at Arcadia. The principle of erecting a dwelling to the side of Arcadia has been established through the 2021 permission and there have been no substantial changes in the proposed drawings since that time nor any changes in the policies against which an application would be assessed. Although the States Strategic Housing Indicator does not identify a demand for three bedroom dwellings such as this it must be acknowledged that this infill site would not be able to offer a variety in terms of the mix and type of dwellings available on site. The approach adopted has sought to make the most efficient and effective use of this land and in this particular case therefore, further justification regarding the size of dwelling proposed/viability information has not been requested.

The existing garage and summerhouse are of no particular merit to warrant their retention and their removal is accepted. The scheme has been designed to draw from the design and external appearance of the adjoining bungalow with hipped roof, bay windows and render exterior. The overall height of the dwelling has been kept low due to the hipped roof design proposed. The scheme has also been broken down into a number of different elements in order to reduce its overall scale and bulk. In this respect therefore, the scheme represents a good standard of design and being two-storey is multi-storey development making efficient and effective use of

land (GP8). The provision of a hedge inside the boundary wall would offer a softening effect to the frontage area parking serving the proposed dwelling in this tree lined avenue, having regard to Policy GP8 and is a matter that could be managed by condition.

Properties and plots are varied in this locality and it is noted that there are a number of dwellings situated on similar width plots in the immediate area although many of these are pairs of semi-detached dwellings. The proposed division of this plot will not have an unacceptable adverse impact on the character and appearance of the streetscene, and accords with the aims of Policy GP8 a. and c. of the Island Development Plan.

The ground floor accommodation of the proposed dwelling has been laid out so as to consider the health and well-being of future occupiers of the dwelling. A secondary window serving the proposed dining area at ground floor is shown to be provided in the west elevation of the dwelling. This window would offer direct overlooking to the rear of Arcadia, although this could be managed by appropriate boundary treatment controlled by condition or exempt boundary treatments.

At first floor level whilst bedroom 3 to the front and the master bedroom to the rear of the first floor would offer adequate outlook for the occupiers, the occupiers of bedroom 2 would face across the roof of Arcadia and although outlook would be more limited than other bedrooms in the property it would remain sufficient when considering that this is a multi-bedroom property where generally the other amenity aspects of Annex I are met and exceeded.

The proposed development will impact on windows in the east elevation of Arcadia, shown to serve a bedroom (bedroom 3) although as part of the current proposals the window is shown to be reduced in size to meet the GTS and would be supplemented by a proposed rooflight for light and ventilation. The subdivision of the plot as indicated could prevent the east facing window from being opened because it would cross the boundary line however, this would ultimately be a private civil matter and could not prevent the grant of planning permission. The new rooflight proposed to serve bedroom 3 will enhance sunlight and daylight to the space and offer an element of outlook in line with the aims of Policies GP8 d and GP9 b.

The subdivision of the site would ensure that adequate external amenity space would be retained for the occupiers of Arcadia. The erection of a boundary wall/fence to separate the rear garden areas can be managed by condition.

The existing vehicular access is proposed to be retained to serve the new dwelling and two off-road parking spaces would be provided, sufficient to meet the needs of a three-bedroom dwelling in this location. Although there would not be space on site to offer turning the development is situated on a residential street and vehicles manoeuvring in and out of the domestic driveway will not unacceptably impede the free flow of traffic. Nor will the development place unacceptable additional

pressures on the local road network. The scheme therefore complies with Policies IP7 and IP9 of the Plan.

Although no designated cycle parking is shown to be provided, exemption rights would allow for the erection of a shed within the rear garden of the dwelling which could accommodate cycle parking to satisfy the aims of Policy IP6.

The existing extension to the rear of the dwelling is of no particular merit to warrant its retention, its demolition is acceptable. The erection of a flat roof extension would represent a good standard of design that would not result in harm to the character and appearance of the locality. The extension would not result in overshadowing or loss of privacy to the occupiers of either existing dwelling to the east or west of the site. The extension would also be situated away from the proposed boundary with the new dwelling and will not result in unacceptable impacts on the amenities of future occupiers of that dwelling. The proposal would accord with the aims of Policies GP8, GP9 and GP13 of the Island Development Plan.

A new vehicular access is proposed (as per the 2021 scheme) to provide replacement garaging/parking for the existing dwelling. The proposed access, with associated exempt hardstanding, would provide adequate off-road parking and would not have an unacceptable impact on highway safety in accordance with Policies IP7 and IP9 of the Island Development Plan. It is recommended that a condition be included to ensure that the ends of the new opening are finished to match the remainder of the wall within a reasonable timeframe.

With regard to Policy GP9: Sustainable Development, it has been demonstrated that the proposed development will comply with Building (Guernsey) Regulations 2012 and therefore has taken into account the use of energy, resources and any adverse impact on the environment. The flat roof solar panels shown on the proposed garage roof would constitute exempt development not requiring the specific grant of planning permission.

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

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

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

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 29/07/2025