

**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 single storey outbuilding/pool house to north boundary.

**LOCATION:** Montville Manor, Montville Drive, Colborne Road, St. Peter Port.

**APPLICANT:** Mr G Isbister

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: 31/07/2025**

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 17/06/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** CCD Ltd: 3784 PL21, PL22, PL23 & PL24

**Application Ref:** FULL/2025/0991

**Property Ref:** A407970000

**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.There shall be no storage of any plant, materials or machinery associated with the development at any time within the Area of Biodiversity Importance as designated within the Island Development Plan and shown hatched in green on Image 1 enclosed with this decision notice.

Reason - To protect the Area of Biodiversity Importance.

**Expiry Date: This permission will cease to have effect on 30/07/2028 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](http://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](mailto: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/2025/0991  
**Property Ref:** A407970000  
**Valid date:** 17/06/2025  
**Location:** Montville Manor Montville Drive Colborne Road St. Peter Port  
Guernsey GY1 1EN  
**Proposal:** Erect single storey outbuilding/pool house to north boundary.  
**Applicant:** Mr G Isbister

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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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.

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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. There shall be no storage of any plant, materials or machinery associated with the development at any time within the Area of Biodiversity Importance as designated

within the Island Development Plan and shown hatched in green on Image 1 enclosed with this decision notice.

Reason - To protect the Area of Biodiversity Importance.

## **OFFICER'S REPORT**

### **Brief Description of the site:**

The application site comprises a substantial detached dwellinghouse situated to the north of Montville Drive, to the east of Colborne Road and to the south of and elevated above properties situated along La Charroterie. Beyond the site to the north and west, the topography of the site drops significantly towards the properties in those directions.

The site is situated within a Main Centre Outer Area, Conservation Area and is designated as Important Open Land. Part of the southeast corner of the site is an Area of Biodiversity Importance and is the subject of a Tree Protection Order (PT78).

### **Relevant History:**

|                |                                                                                                                                                                                |                       |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| FULL/2024/1816 | Extend and alter at basement level, erect link extension at ground floor level to west (rear) elevation and alterations to fenestration, balcony and external stairwell.       | Granted<br>05/12/2024 |
| FULL/2023/0880 | Raise roof height to create accommodation at 1st floor level including balconies to east and west elevation and new fenestration to detached outbuilding to north of property. | Granted<br>23/06/2023 |
| FULL/2021/0048 | Replace porch balcony with lean-to roof and alterations to fenestration at first floor level to east (front) elevation.                                                        | Granted<br>08/03/2021 |
| PAPP/2008/2176 | Create driveway, erect walls and install gates.                                                                                                                                | Granted<br>13/11/2008 |
| PAPP/2008/2038 | Install swimming pool and extend garage to provide changing facilities, and landscaping works.                                                                                 | Granted<br>05/09/2008 |
| PAPP/2007/3612 | Erect new garage                                                                                                                                                               | Granted<br>02/05/2008 |

### **Existing Use(s):**

Residential – Use Class 1

**Assessment:** (Tick as appropriate)

|                     |                                     |                              |
|---------------------|-------------------------------------|------------------------------|
| no representation   | <input checked="" type="checkbox"/> | visual amenity acceptable    |
| accords with policy | <input checked="" type="checkbox"/> | no material neighbour impact |
| within curtilage    | <input checked="" type="checkbox"/> | traffic not affected         |
| design acceptable   | <input checked="" type="checkbox"/> |                              |



**Policies considered most relevant:**

MC1: Important Open Land in Main Centres and Main Centre Outer Areas

GP1: Landscape Character and Open Land

GP3: Areas of Biodiversity Importance

GP4: Conservation Areas

GP8: Design

GP9: Sustainable development

GP13: Householder development

**Consultations:**

Agriculture, Countryside & Land Management Services (ACLMS)

By email dated 25<sup>th</sup> July 2025 stated the following:

*“A desk assessment was done to determine the likelihood of any negative impact from the construction of a pool room in proximity to a line of boundary trees to the north-west of the site. The red line on the plan (see image 1) marks the boundary with States owned land (Committee for the Environment & Infrastructure) and is designated as an Area of Biodiversity Importance (ABI).*

*The whole site falls within an area which is classed as “important open land” in the Island Development Plan (IDP), a significant proportion of which is designated as an ABI – see image 2. An area of woodland to the east of the site has a Tree Protection Order placed upon it (see image 3).*

*The site was subject to a significant development in 2009 when the previous property was demolished and replaced (see image 4). As can be seen from image 4 significant disturbance to the ground resulted from construction.*

*The band of trees which runs around the boundary of the site provides screening from the road, softens the impact of existing development and adds rural character to an area as well as providing important habitat and helping to mitigate particulate pollution. Much of the treed area is made up of scrub elm, sycamore and evergreen oak.*

### *Conclusions*

*The proposed development is being built on land which has been disturbed in the relatively recent past and the vast majority of the treed area is well away from the proposed site for the pool house. Virtually all the trees beyond the boundary grow on a relatively steep escarpment, none of which will be directly impacted by construction works. There may, however, be a possible indirect effect resulting from covering part of the open ground with a building, potentially altering localised soil moisture levels. However this is likely to have a negligible impact on the trees other than those within the immediate vicinity of the new build and many of these trees will be young or immature which are more adaptable to change compared to larger more mature specimens. As the trees are growing mostly on the escarpment there is little benefit to be derived from installing tree protection fences in this area, due to this area's inaccessibility. However it is recommended that measures are applied which ensure that no encroachment, disturbance, or the placing of any materials (including waste, equipment etc) is made/done on neighbouring land."*

### **Conclusion/Brief comment:**

Planning permission is sought to erect a single storey outbuilding/pool house to the north boundary.

The site is within a Conservation Area. It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting Conservation Areas, to secure so far as possible that the special historic, architectural, traditional or other special characteristics are preserved. This is reflected in Policy GP4 which supports development that conserves, and where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area.

Within Conservation Areas Policy GP8 seeks to ensure that new development achieves a particularly high standard of design whilst making effective and efficient use of land and respecting the character of the local built environment or the open landscape concerned. Development should also consider the amenities of occupiers and surrounding neighbours and provide soft and hard landscaping where this reinforces local character or mitigates the development.

The application site is visible from long range views within the Conservation Area on the approach to the site, from the west along Prince Albert Road and Ruettes Brayes and to the north from La Charroterie. Although the floorspace of the proposal is generous, given that the land levels will be lowered and the building will appear cut into the embankment together with the trees that surround the site, the proposal will be largely screened from public vantage points and would not negatively impact on the character or appearance of the surrounding Conservation Area.

Trees border the site in all directions and the proposal is sufficient distance from protected trees and neighbouring properties so as not to cause any undue harm.

The proposal will be physically attached and accessible to the basement of the main dwelling through an internal door and therefore represents an extension to the existing building. By reducing the land levels as proposed the overall bulk and massing and height of the proposal from ground level is reduced substantially, ensuring that the proposal would not have a significant adverse impact on the open character, visual quality or landscape character of the Important Open Land. The scheme complies with policy MC1 in this respect.

The scheme and any associated foundations would be situated sufficient distance from the designated ABI and would not cause harm to biodiversity in accordance with Policy GP3. It is recommended however that an informative is included on the decision to ensure that there is no storage of materials or plant within the ABI.

Confirmation has been received that the proposed development has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

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:** 28/07/2025

