

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND SECTION 19 OF THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

PROPOSALS: Variation to previously approved plans to demolish extension, erect single storey extension and install dormer window to north (rear) elevation, install captain's dormer window and rooflight to south (front) elevation - Alter captain's dormer to create balcony to south (front) elevation.

LOCATION: Olive Tree House, 4 Belmont Terrace, Havelet, St. Peter Port.

APPLICANT: Mr & Mrs A Laws

I refer to the application referred to below received as valid on 26/06/2025 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 29/07/2025

Drawing Nos: Arctech - AL-24-1179-02D

Application Ref: FULL/2025/1037

Property Ref: A407390000

The Development & Planning Authority has decided to refuse your application under the provisions of section 16 of the Land Planning and Development (Guernsey) Law, 2005 for the following reasons:-

1. The proposed development would introduce an architectural element (a dormer window with balcony and balustrade) that is not typical of this part of the Conservation Area and would not respect the architectural composition of the existing building. As such, the proposed development will not conserve or respect the character and appearance of the Conservation Area, thus does not comply with Island Development Plan Policy GP4.

OTHER REMARKS:-**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, against a decision to refuse an application for planning permission or outline planning permission to the Planning Tribunal on the merits. 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.

Copy of representations made

In reaching this decision the Development & Planning 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 to the Authority under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2025/1037
Property Ref: A407390000
Valid date: 26/06/2025
Location: Olive Tree House 4 Belmont Terrace Havelet Havelet St. Peter Port Guernsey GY1 1BA
Proposal: Variation to previously approved plans to demolish extension, erect single storey extension and install dormer window to north (rear) elevation, install captain's dormer window and rooflight to south (front) elevation - Alter captain's dormer to create balcony to south (front) elevation.
Applicant: Mr & Mrs A Laws

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The proposed development would introduce an architectural element (a dormer window with balcony and balustrade) that is not typical of this part of the Conservation Area and would not respect the architectural composition of the existing building. As such, the proposed development will not conserve or respect the character and appearance of the Conservation Area, thus does not comply with Island Development Plan Policy GP4.

OFFICER'S REPORT

Site Description:

The property known as 'Olive Tree House' is the end property of a terrace of four properties which are set back from and face south onto Havelet. The attached property is to the east and there is a detached neighbour to the west. The land rises to the north of the site as well as to the west. The property is located in the St Peter Port Main Centre and Conservation Area as defined in the Island Development Plan.

Relevant History:

Three different schemes for the replacement of the captain's dormer with balcony have been submitted as part of a pre-application PREA/2025/1037.

FULL/2024/1528 - Variations to previously approved plans to demolish extension, erect single storey extension and install dormer window to north (rear) elevation, install

captain's dormer window and rooflight to south (front) elevation - Increase floor area to rear elevation – Approved October 2024.

FULL/2024/1008 - Demolish extension, erect single storey extension and install dormer window to north (rear) elevation, install captain's dormer window and rooflight to south (front) elevation – Approved July 2024.

FULL/2024/0973 - Demolish section of wall and railings to widen vehicle access and parking area – Approved July 2024

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

This application is a variation to application number FULL/2024/1008 to alter the approved captain's dormer window on the front south facing roof slope to create a balcony with a wrought iron balustrade.

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

GP4: Conservation Areas

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

The St Peter Port Conservation Area Appraisal – 16. Les Val des Terres Character Area.

Representations:

None

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.

Olive Tree House is the end property of a small terrace on Havelet which is noted as a Building of Merit within the St Peter Port Conservation Area Appraisal. Havelet is within the Val des Terres Character Area where it is noted that the site is visible within short range views as well as medium range views.

Within the Val des Terres Character Area the Appraisal states that the design of dormers common within the area are captain's, flat roofed and pitched roofed. The application proposes a dormer window/balcony with wrought iron balustrade. Balconies with balustrades are not typical within the roof space in this part of the Conservation Area.

The introduction of a captain's dormer window, balcony and balustrade will be visible from the immediate street and from the Halfmoon Battery and Havelet beach. At these distances the form of the dormer window/balcony/balustrade and its materials will be easily seen, and seen within the context of the terrace of the adjacent buildings that do not have alterations to their roof. The dormer/balcony/balustrade will introduce an architectural element that is not typical within this part of the Conservation Area. This is compounded because, unlike the approved application (FULL/2024/1008), the dormer is not aligned with the architectural composition of the building. Therefore, because of the introduction of a balcony that is not typical of the area and also because the revised positioning of the dormer does not respect the architectural composition of a Building of Merit (i.e. a building that contributes the character and appearance of the Conservation Area), the proposal will not conserve or enhance the Conservation Area, which, in this case, equates to the proposals causing harm to the Conservation Area.

This scheme cannot be supported because it would introduce an architectural element (balcony & balustrade) that is not typical of the part of the Conservation Area, which will not conserve or respect the character and appearance of this part of the Conservation Area. Therefore, the recommendation is one of refusal.

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 Planning and Development (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: 28/07/2025

