

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 extension, porch, and chimneys, infill light well and basement level, erect 2 storey and single storey extension to north (rear) elevation, install external insulating render system and alterations to fenestration. Widen and alter vehicle access, roadside boundary and parking area.

LOCATION: Mountville, 32 Mount Row, St. Peter Port.

APPLICANT: Mr P Gouveia & Mr D Queripel

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: 28/01/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/10/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Architecture: 25-1646/PD/01, PD/02 & PD/03A.

Application Ref: FULL/2025/1627

Property Ref: A308230000

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.For the avoidance of doubt, the replacement chimney stacks shall be re-built in brick to match the existing and original chimneys as shown on drawing ref: PD/03 Rev. A within four weeks of the original stacks being demolished. The historic chimney pots should be carefully removed, stored on site, and re-used, installed within four weeks of the replacement chimney stacks having been completed.

Reason - To secure the satisfactory appearance of the completed development in order to preserve the special interest of the setting of the Protected Building (Policy GP5), and to conserve the character and appearance of the Conservation Area.

5.Notwithstanding the information submitted, within 2 months of the vehicular access being widened, the roadside wall shall be made good in accordance with the approved drawing, ref: PD/03 Rev.A

Reason - to ensure the works are carried out in a reasonable timeframe in the interests of visual amenity and to conserve the Conservation Area.

Expiry Date: This permission will cease to have effect on 27/01/2029 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/2025/1627
Property Ref: A308230000
Valid date: 16/10/2025
Location: Mountville 32 Mount Row St. Peter Port Guernsey GY1 1NT
Proposal: Demolish extension, porch, and chimneys, infill light well and basement level, erect 2 storey and single storey extension to north (rear) elevation, install external insulating render system and alterations to fenestration. Widen and alter vehicle access, roadside boundary and parking area.

Applicant: Mr P Gouveia & Mr D Queripel

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. For the avoidance of doubt, the replacement chimney stacks shall be re-built in brick to match the existing and original chimneys as shown on drawing ref: PD/03 Rev. A within four weeks of the original stacks being demolished. The historic chimney pots should be carefully removed, stored on site, and re-used, installed within four weeks of the replacement chimney stacks having been completed.

Reason - To secure the satisfactory appearance of the completed development in order to preserve the special interest of the setting of the Protected Building (Policy GP5), and to conserve the character and appearance of the Conservation Area.

5. Notwithstanding the information submitted, within 2 months of the vehicular access being widened, the roadside wall shall be made good in accordance with the approved drawing, ref: PD/03 Rev.A

Reason - to ensure the works are carried out in a reasonable timeframe in the interests of visual amenity and to conserve the Conservation Area.

OFFICER'S REPORT

Site Description:

The application site, known as Mountville, consists of a 3 storey, mid-terrace dwelling, located north of Mount Row. The building is located in a Main Centre Outer Area and Conservation Area as designated in the Island Development Plan.

The building adjoining Mountville to the east, known as Ruskley, is recognised as a protected building, the extent of which is defined by the notice as the exterior only.

The Conservation Area is characterised by the largely early 19th Century buildings which line both sides of the road and include several protected buildings. The buildings on the road share a similar age and style which characterises the Conservation Area. The style is typical early 19th Century which is the transition period between Georgian, Regency and Victorian, where the whole building, but in particular the detail and proportion of their frontages follow the principles of western classical architecture.

Planning permission was granted in 2024 to render the gable and chimney to the west elevation.

Relevant History:

Reference No	Description	Decision	Date
PREA/2025/1291	Extend and alter existing dwelling and create a new dwelling to rear.	Pre-application enquiry	2025

FULL/2024/0895	Render gable and chimney to west (side) elevation.	Granted	2024
FULL/2009/3014	Widen vehicular access	Pre-application enquiry	2009
FULL/2009/1807	Remove section of wall and extend vehicular access and parking area.	Refused	2009

Existing Use(s):

Residential

Brief Description of Development:

Planning permission is sought to demolish an extension, porch, and chimneys, infill a light well and basement level, and erect a 2 storey and single storey extension to the rear (north) elevation. It is also proposed to install external insulating render system and make alterations to the fenestration as well as widening and altering the vehicle access, roadside boundary and parking area to the front.

As set out in the agent's covering letter, the overarching design is to create a townhouse with an integral garage with parking for one car, with a further space for a small car within the new courtyard to the front. The proposal seeks to remove additions to the property that detract from the building's composition, and to create a symmetrical and proportionate roadside elevation.

The application was deferred as concerns were raised over the demolition of the chimney stacks. In response, the agent has submitted revised plans showing that both chimney stacks on the east and west elevations are to be rebuilt in brick to respect the traditional character and appearance of the building.

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

GP4 Conservation Areas
GP5 Protected Buildings
GP8 Design
GP9 Sustainable development
GP13 Householder Development

Representations:

The Authority has received representation from one party objecting to the proposal. Grounds for objection principally relate to the following issues:-

- Removal of the eastern chimney stack which is under separate ownership. Removing a proportion of the stack which belongs to Mountville will leave the remaining part of the stack belonging to Ruskley, structurally unsound.
- Removal of the current rear extension will leave the top of the party wall exposed and detail should be include a flashing along the top of the wall.
- Infilling of the basement rooms of Mountville should include tanking details to prevent damp penetration of the party wall at this level.
- All of the above comments will affect the protected building, Ruskley.

It is not considered necessary to inform the representor of revised drawings in relation to the chimneys being rebuilt in brick, due to the original objections raised which include boundary issues, and that the revised plans are unlikely to overcome the original reasons for representation.

Consultations

None.

Summary of Issues:

- Whether the design of the proposed development is acceptable and its impact on the character and appearance of the Conservation Area.
- The impact of the development on neighbour amenity.
- The impact of the development on the setting of protected buildings.

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.

It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting protected buildings, including their setting, to secure so far as possible that the special historic, architectural, traditional or other special characteristics (including setting) are preserved. This duty is reflected in Policy GP5 of the IDP which supports proposals to extend or alter a protected building where the development proposed does not have an adverse effect on the special interest of the particular protected building or its setting. The policy states that in all cases proposals must accord with other relevant policies of the IDP.

Under Section 38 of The Land Planning and Development (Guernsey) Law, 2005 the Authority has a duty to pay *“special attention to the desirability of preserving and enhancing the character and appearance”* of Conservation Areas. This duty is encapsulated in Policy GP4 (Conservation Areas) which states that *“proposals for*

development within a Conservation Area will be supported where the development conserves and, where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area."

Whether the design of the proposed development is acceptable and effect on the character and appearance of the Conservation Area:

Mountville is clearly in poor condition with windows which detract from the appearance of the façade due to their low quality, material and method of opening, the soil pipe and external plumbing detract, as does the state of the front garden and wall.

At the rear the extensions are of low quality with dilapidated windows and doors and the boundary wall appears unstable.

Development which leads to the general refurbishment and betterment of the property typically is beneficial to the neighbours, and the wider Conservation Area.

With regard to the proposed design at the front of the building, the proposed alterations to the façade are to make all the windows on the 2nd floor the same which is an improvement, incorporate an integral garage, which in turn results in lowering the door and the window cill levels on the ground floor. The soil pipe and other pipes are removed and there are two downpipes. Generally the proposed treatment of the façade is a vast improvement, to the benefit of the Conservation Area.

The windows, doors and downpipes proposed are black in colour which will contrast with the light coloured exterior, and therefore will make the building stand out in the street scene. It would also be unreasonable to condition that the replacement fenestration must be finished in white. Furthermore, the incorporation of traditional glazing bars complements and pays homage to the traditional character and appearance of these sensitive surroundings. Despite the black fenestration proposed overall, the replacement fenestration is supported under Policy GP4 and achieves a high standard of design in light of Policy GP8.

With regard to the works to the front boundary, planning permission was refused in 2009 to remove section of wall and widen the vehicular access and parking area. The Island Development Plan was enacted in 2016 and therefore a material change in circumstances exist due to the introduction of a new planning policy framework. The current application is assessed based under the relevant IDP policies. In this regard, widening the access width from approximately 6m to 6.3m is not substantially different to the existing arrangement, and is comparable to other large access points found along Mount Row, and in the wider area. The alternations to the access point will not undermine highway safety or traffic management.

The overall scale, mass and form of the two storey pitched roof extension is proportionate and subservient to the rear façade of the building. While the

extension is large and dominant when viewed in context with neighbouring properties, it is relative and respectful to the host dwelling. Consequently the proposal achieves a high enough standard of design for the purposes of Policy GP8 in terms of the scale, form, mass, siting, materials, and general appearance, and would conserve, if not, enhance the Conservation Area for the purposes of Policy GP4.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

The proposal complies with Policy GP4, GP8, GP9 and GP13.

The impact of the development on neighbour amenity:

While the incorporation of a two storey extension is likely to impact on neighbouring properties with regard to issues such as shadowing and overbearingness, particularly to the east (Ruskley), however, is not considered to be so substantial that it would cause unacceptable harm.

This conclusion has been reached when taking into account the scale of the two storey extension, its position which is set-in from the east boundary, its pitched roof design, position/orientation. For the majority of the day, the neighbouring property would not be affected by the proposed development e.g. morning and mid-afternoon, and only towards the later part of the day.

Moreover, other two storey extensions have been approved to the rear of properties along Mount Row, including that located to the rear of the adjoining property to the west, known as 34 Mount Row, which gives some weight to support the principle of a two storey extension to the rear, despite each application being assessed on its individual merits. Also, the combination of a two storey extension (set behind the rear building line of 34 Mount Row's two storey extension), dropping down to a single storey extension has demonstrated that the design has considered the effects on neighbouring residents.

The incorporation of a high level window on the east elevation will not affect neighbouring residents with regards to overlooking.

The impact of the development on the setting of protected buildings:

With regards to Policy GP5, the two storey extension is likely to have an effect on the setting of the protected building. The setting of Ruskley is made up of a terrace of similar aged and style buildings which have classically arranged facades, small front gardens, good size rear gardens, and typically focus extensions to the rear of these houses. Whilst there is likely to be an effect on the setting of the protected building due to the size and siting of the rear extension, the impact of the proposal on its setting is unlikely to cause undue harm to the overall special interest of Ruskley. In fact, the general improvements and regeneration of Mountville could be seen to have a positive effect.

The rebuilding of the chimney stacks in brick as secured through the amendment, as opposed to demolishing the chimneys as originally proposed, will enhance the overall design of the scheme. This is not considered to cause unacceptable harm on the special interest of the adjoining protected building, or its setting. The reasonable aspirations of the property owner outweigh the harm caused by virtue of demolition and rebuilding of the chimney stack on the east elevation (Policy GP5). Suitable conditions should be attached to the decision to ensure that the chimneys are rebuilt in brick to match the existing (east) and original chimneys (west), as shown on drawing ref: PD/03 Rev. A. The historic chimney pots should be carefully removed, stored on site, and re-used.

Moreover, the replacement brick chimney stacks are likely to enhance the character and appearance of the Conservation Area (Policy GP4) given that the Conservation Area is predominately characterised by a number of buildings with brick chimneys. The recently approved rendered chimney stack on the west elevation is shown to be rebuilt in brick, which is encouraged to add symmetry and respect the original built form of the Conservation Area.

The issues regarding the party wall and tanking details to prevent damp penetration is a third party issue and is not material to this decision. Internal works are not controlled by this decision due to the non-protected status of the building.

The proposal complies with Policy GP5.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, 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.

In light of the representation received, it is noted that boundary and ownership issues are not material planning considerations as defined in The Land Planning and Development (General Provisions) Ordinance, 2007). Works affecting the application site, and neighbouring property, where appropriate, have been discussed above.

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

The proposal would have no impact on Trees or on SSS's. The potential impact on the adjoining protected building is set out above.

For the reasons set out within this report, it is recommended that the application be granted planning permission, subject to conditions.

Date: 27/01/26

