

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, chimneys and outbuilding, erect 2 storey and single storey extension, raised terrace area and swimming pool to west (rear) elevation. Erect balcony at 1st floor level to east (front) elevation, alterations to fenestration and widen vehicle access.

LOCATION: Elysium, Fort Road, St. Peter Port.

APPLICANT: C Murphy and S Waye

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: 05/12/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/11/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Arch Plus Ltd: 243-3-300, 301, 302, 303, 304, 305 and 307

Application Ref: FULL/2025/1650

Property Ref: A410030000

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.Before any part of the raised patio hereby approved is brought into use the 1.8m high rendered wall as shown on the approved plans shall be erected. This 1.8m high rendered wall shall thereafter be maintained and retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

5.Within four weeks of the new access being formed, the end of the enlarged, 4.5m wide 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.

Expiry Date: This permission will cease to have effect on 04/12/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The application site is to the northwestern boundary of the former military site of Fort George. It is possible that there are unrecorded military structures on the site. If anything of interest is uncovered during excavations of footings and/or the swimming pool please contact the States Archaeologist, Culture & Heritage Service. You should contact them to gain advice or make arrangements for archaeological recording.

The Archaeology team can be contacted on 01481 220729 or 01481 220722 , or mobiles 07781 102219 or 07911 721210 .

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/2025/1650
Property Ref: A410030000
Valid date: 04/11/2025
Location: Elysium Fort Road St. Peter Port Guernsey GY1 1ZU
Proposal: Demolish extension, chimneys and outbuilding, erect 2 storey and single storey extension, raised terrace area and swimming pool to west (rear) elevation. Erect balcony at 1st floor level to east (front) elevation, alterations to fenestration and widen vehicle access.

Applicant: C Murphy and S Waye

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.

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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).

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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. Before any part of the raised patio hereby approved is brought into use the 1.8m high rendered wall as shown on the approved plans shall be erected. This 1.8m high rendered wall shall thereafter be maintained and retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

5. Within four weeks of the new access being formed, the end of the enlarged, 4.5m wide 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.

INFORMATIVES

The application site is to the northwestern boundary of the former military site of Fort George. It is possible that there are unrecorded military structures on the site. If anything of interest is uncovered during excavations of footings and/or the swimming pool please contact the States Archaeologist, Culture & Heritage Service. You can contact them to gain advice or make arrangements for archaeological recording.

The Archaeology team can be contacted on 01481 220729 or 01481 220722 , or mobiles 07781 102219 or 07911 721210 .

OFFICER'S REPORT

Brief Description of the site:

Elysium is a detached, two-storey dwelling with a hipped roof and two-storey bay to the front elevation. The property is set back from the road and faces east onto Fort Road, with Fort Field opposite. Residential properties are situated to the north and south of the site with Clos De Colborne to the west.

The application relates to the demolition of the existing two-storey extension to the rear of the property along with the removal of the existing chimney stacks and an outbuilding/garage. Two- and single-storey extensions are proposed to the rear along with a raised terrace and swimming pool. A balcony is proposed to the front elevation along with alterations to fenestration and the widening of the existing vehicular access.

To apply insulating render to the property represents exempt development as does the removal of the chimney stacks and the proposed gates, set back behind the front façade of the dwelling.

The site is located Outside of the Centres as designated in the Island Development Plan.

Relevant History:

None recent and relevant.

Existing Use(s):

01 dwellinghouse

Assessment: *(Tick as appropriate)*

no representation	☒
accords with policy	☒
within curtilage	☒
design acceptable	☒

visual amenity acceptable	☒
no material neighbour impact	☒
traffic not affected	☒

Policies considered most relevant:

GP8: Design
GP9: Sustainable Development
GP13: Householder Development
IP9: Highway Safety, Accessibility and Capacity

Consultation:

States Archaeologist - The site lies just within the north-western boundary of the former military site of Fort George. Although no defensive structures are recorded on historic mapping from this area, a substantial, previously unrecorded tunnel was uncovered a few years ago in work at Avanche Fleche, which lies about 60m south of this property. It is just possible that there are other unrecorded military structures on this site as well. I would therefore be grateful if you could recommend that the developers contact us if anything of interest is uncovered during the excavation of footings and/or the swimming pool.

Conclusion/Brief comment:

The existing extension and garage are of no particular merit to warrant their retention and their removal is accepted. The removal of the chimney stacks is also acceptable as is the infilling of various windows/doors and alterations to other existing fenestration.

The proposed two-storey extension reflects the hipped roof and render design of the existing property and represents a good standard of design that respects the local

built environment. Although the height of the extension would exceed the existing building it has been integrated into the existing roof and will slope away from the neighbouring properties and the eaves height of the property will remain unchanged. The siting of the two-storey element of the extension has taken into account the relationship of the property to the neighbouring dwellings. And it will not result in unacceptable overshadowing to adjoining properties.

The single-storey element of the building will not result in overshadowing or overlooking of neighbouring dwellings and also represents a good standard of design when considering the flexibility offered to householders wishing to make changes to their property.

First floor fenestration proposed to the north and south elevations of the property as extended and altered is limited to en-suite bathrooms, a dressing area and landing window all of which can reasonably be conditioned to be obscure glazed to protect the privacy of adjoining occupiers.

Full height glazing is proposed at first floor level across the rear of the property in place of smaller window openings. These will serve a bedroom and bathroom (bathroom window noted as obscure glazed). Although full height glazing is proposed at first floor level associated with the proposed balcony this fenestration and balcony area will face across the road towards the open land beyond. In this regard, the scheme as proposed will not result in unacceptable overlooking or loss of privacy to the occupiers of any surrounding properties.

The pool and raised patio to the rear is shown to incorporate a 1.8m high rendered wall in place of the existing fencing, to be constructed at patio level which will manage the potential for loss of privacy to occur to the occupiers of the adjoining dwelling to the north. The raised patio is set away from the south site boundary which is currently open following the clearance of boundary landscaping (witnessed during the officer site visit) and it is reasonable to impose a condition relating to new/replacement boundary treatments.

To remove a section of the roadside boundary wall, widening the access from c.3m to 4.5m. The site is not situated in a Conservation Area and although a section of the boundary wall has been lost, a large proportion will remain intact and will continue to provide an adequate boundary feature. In this particular instance it is considered therefore that any adverse impact on the character of the area as a result of the development is not so substantial to warrant the refusal of planning permission. The submission outlines that the vehicular access alterations will enable vehicles to turn on site and exit in a forward gear thereby improving highway safety.

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.

In view of the above it is recommended that permission is granted.

Recommendation:

Grant with Conditions



Date: 04/12/2025

