

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: Install captains dormer and rooflights to south (front) elevation, install catslide dormer and rooflights to north (rear) elevation and install window at second floor level to east (side) gable and internal alterations (Protected Building)

LOCATION: La Vignette, Mount Durand, St. Peter Port.

APPLICANT: Mr S Jarrold

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: 11/11/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/08/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Studio: 020/WD01, /WD02D, /WD06D.

Application Ref: FULL/2021/1513

Property Ref: A305490000

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.New rooflights hereby approved must be fitted flush with the roof plane in which they are positioned.

Reason - To protect the overall special interest and setting of the Protected Building.

5.Prior to insertion, details of all new third floor windows, including elevations to a scale of 1:20 and sections to a scale of 1:5, shall be submitted to and agreed in writing by the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development.

6.Should any external vents or extractors be required to be installed then prior to their installation full details of the type to be used, the works required and their location shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development and to protect the special interest of the protected building.

7. All leadwork shall be installed in accordance with LSA directions.

Reason - To secure the satisfactory appearance of the completed development and to protect the special interest of the protected building.

8. During opening up works, should it be revealed that there is a need for further works (in particular to floor structure, roof structure and chimneys) then further agreement in writing must be obtained from the Authority prior to the undertaking of any further works.

Reason - To secure the satisfactory appearance of the completed development and to protect the special interest of the protected building.

9. Notwithstanding the details shown on the approved plans, no permission is hereby granted for the replacement or alteration of any of the ground, first and second floor windows shown on the drawing.

Reason - To secure the satisfactory appearance of the completed development and to protect the special interest of the protected building.

10. No commencement shall begin on site until details of the new black pan-tiles have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the new pan-tiles. This condition is imposed to make sure that the building is of satisfactory design and does not have any adverse impact on the character of the area.

Expiry Date: This permission will cease to have effect on 10/11/2024 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/2021/1513
Property Ref: A305490000
Valid date: 16/08/2021
Location: La Vignette Mount Durand St. Peter Port Guernsey GY1 1EB
Proposal: Install captains dormer and rooflights to south (front) elevation, install catslide dormer and rooflights to north (rear) elevation and install window at second floor level to east (side) gable and internal alterations (Protected Building)

Applicant: Mr S Jarrold

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. New rooflights hereby approved must be fitted flush with the roof plane in which they are positioned.

Reason - To protect the overall special interest and setting of the Protected Building.

5. Prior to insertion, details of all new third floor windows, including elevations to a scale of 1:20 and sections to a scale of 1:5, shall be submitted to and agreed in writing by the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development.

6. Should any external vents or extractors be required to be installed then prior to their installation full details of the type to be used, the works required and their location shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development and to protect the special interest of the protected building.

7. All leadwork shall be installed in accordance with LSA directions.

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8. During opening up works, should it be revealed that there is a need for further works (in particular to floor structure, roof structure and chimneys) then further agreement in writing must be obtained from the Authority prior to the undertaking of any further works.

Reason - To secure the satisfactory appearance of the completed development and to protect the special interest of the protected building.

9. Notwithstanding the details shown on the approved plans, no permission is hereby granted for the replacement or alteration of any of the ground, first and second floor windows shown on the drawing.

Reason - To secure the satisfactory appearance of the completed development and to protect the special interest of the protected building.

10. No commencement shall begin on site until details of the new black pan-tiles have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the new pan-tiles. This condition is imposed to make sure that the building is of satisfactory design and does not have any adverse impact on the character of the area.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a 3-storey house with later 2-storey elements attached to the west, the whole of which is a protected building. The site is located on the north side of Mount Durand at the end of a terrace of similar buildings, all of which are protected. The Bouillonne Steps, a protected monument that link Mount Durand and Les Petites Fontaines, adjoin the site to the east. The site is located within a Main Centre Inner Area and Conservation Area under the Island Development Plan.

Relevant History:

FULL/2021/1506 – Internal Alterations (Protected Building) – November 2021.

FULL/2021/0712 – Internal Alterations (Protected Building) – June 2021.

FULL/2020/1984 - Change of use from single dwelling house (use class 1) to house of multiple occupancy (use class 6) (Protected Building) – January 2021.

Existing Use(s):

Residential use class 6: premises.

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

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

Conclusion/Brief comment:

This application is to install a captains dormer and two small rooflights to the south front roof slope, install a catslide dormer and two rooflights to the north roof slope and install two small windows at third floor level to the east gable, and some internal alterations.

The proportions, materials (cheeks would be slate-clad) and position of the dormer windows are such that the effect on overall special interest would be moderate and so, in this instance, would meet GP5, subject to large-scale details of the new windows. Likewise, no objection is raised to insertion of rooflights provided these are flush-fitted. Dormer windows and rooflights are a feature throughout much of the Conservation Area and Mount Durand is no exception. The positioning, materials and appearance of those here proposed, along with other alterations to the exterior, are such that the development would accord with Policy GP4.

Initially the application considered replacing the black glazed pan-tiles to the rear of the building with a weathered orange colour pan-tile, which was considered to alter the external appearance of the building too much. The applicant is now looking to reuse the existing pan-tiles on the front of the building and to replace the rear with new black pan-tiles, which is considered to be more appropriate. Too many of the original tiles are broken and will not be able to be reused, which is why new pan-tiles will be used on the rear of the building.

The application also mentioned the possibility of having to make internal alterations to the existing staircase handrail, however, the agent has since confirmed that there will not be any changes to the existing handrail at all.

Subject to a number of conditions, there are no additional concerns raised over the other alterations proposed, i.e. installation of gable windows, extension of the stairwell, upgrade of the third floor structure, installation of roof vents, removal of cupboards from bedrooms 4 and 6 and lining of the internal faces of the external walls.

The alterations to the layout would result in a limited increase to the potential level of occupancy but the overall size, layout and accommodation to be provided within the building is considered appropriate for its intended use. The proposals adhere to the living standards for a house of multiple occupancy.

Policy GP9 Sustainable Development seeks to ensure all new development takes into account the use of energy and resources and any adverse impacts on the environment. There has been sufficient information provided with the application to comply with the requirements of this policy.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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.

Recommendation:

Grant with Conditions



Date: 10/11/2021

