

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: Variation to previously approved plans to extend and raise height of property to create second floor flat and alterations to first floor (revised) - Material change of flat roof covering (retrospective), alter window configuration (south, west and east elevations), install external insulating render system, additional first floor window (south elevation) and alterations to fenestration.

LOCATION: The Lookout, Port Vase Cottage, Le Platon, St. Peter Port.

APPLICANT: Mr & Mrs C Whitman

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: 01/12/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/09/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTECH Freelance Architecture: MS-17-849-02f & Wetherby External Wall Insulation Details

Application Ref: FULL/2021/1917

Property Ref: A301480000

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.The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 03/10/2017, issued under planning application reference FULL/2017/1901, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

5. No development shall begin on site until details of:

a) replacement doors (north elevation)

b) section drawings of the junction between the ground and first floor where the external insulating render ends and showing the position and fixing of rainwater goods across this junction

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 proposed feature(s). This condition is imposed to make sure that the development is of satisfactory design and does not have any adverse impact on the character of the Conservation Area.

Expiry Date: This permission will cease to have effect on 30/11/2024 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/2021/1917
Property Ref: A301480000
Valid date: 20/09/2021
Location: The Lookout Port Vase Cottage Le Platon St. Peter Port
Guernsey GY1 2PP
Proposal: Variation to previously approved plans to extend and raise height of property to create second floor flat and alterations to first floor (revised) - Material change of flat roof covering (retrospective), alter window configuration (south, west and east elevations), install external insulating render system, additional first floor window (south elevation) and alterations to fenestration.

Applicant: Mr & Mrs C Whitman

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. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 03/10/2017, issued under planning application reference FULL/2017/1901, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

5. No development shall begin on site until details of:

a) replacement doors (north elevation)

b) section drawings of the junction between the ground and first floor where the external insulating render ends and showing the position and fixing of rainwater goods across this junction

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 proposed feature(s). This condition is imposed to make sure that the development is of satisfactory design and does not have any adverse impact on the character of the Conservation Area.

INFORMATIVES

OFFICER'S REPORT

Site Description:

The property is a multi-storey building fronting onto Le Platon and at the time of the site visit was substantially clad in scaffolding with associated sheeting. Port Vase, a footpath running down to Town, adjoins the building on its northern side, beyond which are bungalows. To the rear (west) of the building is a grassed area associated with the bungalows to the south.

Work is substantially complete in relation to the 2017 planning permission (see History below).

The building is divided horizontally into flats.

The site is located within the Main Centre Inner Boundary and within a Conservation Area. The property is a pre-1900 building.

Relevant History:

FULL/2017/1901 – Extend and raise height of property to create 2nd floor flat and alterations to 1st floor (revised) - granted

FULL/2014/2315 - Raise height to create 2nd floor flat, and alterations to 1st floor (east elevation) – granted

FULL/2012/3439 - Raise height of roof to create additional flat at second floor level – granted

FULL/2012/0310 - Raise height of roof to create additional flat at second floor level, to include balcony and dormer window (East elevation) - refused

Existing Use(s):

02 flats

Brief Description of Development:

The application relates to variations to the previously approved 2017 scheme to extend and alter The Lookout. The application is retrospective as much of the work has been undertaken in advance of the application having been submitted for consideration. The variations relate to:

1. Replacement roof covering to flat stairwell
2. New stairwell window (south elevation)
3. Alterations to bay and ground floor windows (south elevation)
4. Alterations to fenestration (east and west elevations)
5. Entrance doors (north elevation)
6. External Insulation (render and brick slip)

It is noted that not all the alterations are highlighted on the submitted drawings and although some are highlighted on the elevation plan these are not clearly highlighted on the floor plans.

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

Island Development Plan Policies:

GP8: Design

GP4: Conservation Areas

GP9: Sustainable Development

GP13: Householder Development

Representations:

None.

Consultations:

None.

Summary of Issues:

The key issues in this case relate to the design and appearance of the alterations to the approved scheme and their likely effect on the character and amenity of the locality and the potential impact on residential amenity with regard to loss of privacy.

The principle of extending the building has been established and will not be revisited as part of this variation application.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Section 38 of the Law explains the general functions of authorities in respect of conservation areas. This states that:

In the exercise, with respect to any building or other land in a conservation area, of any powers under this Law or any other enactment, special attention shall be paid to the desirability of preserving and enhancing the character and appearance of that area.

In respect of these statutory duties, the word 'preserve' is taken in its ordinary meaning as set out in Chamber's dictionary, which is 'to keep safe from harm or loss'.

The purposes of the Law are reflected in the Island Development Plan, the principal aim of which is to help maintain and create a socially inclusive, healthy and economically strong Island, while balancing these objectives with the protection and enhancement of Guernsey's built and natural environment and the need to use land wisely. Relevant policies will be addressed below in assessing the key issues.

Section 13 to Part IV of The Land Planning and Development (General Provisions) Ordinance, 2007, sets out a number of general material considerations, the following of which are considered to be relevant in this instance:

- (b) the character and quality of the natural and built environment which is likely to be created by the development,
- (c) the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used,
- (d) the likely effect of the development on the character and amenity of the locality in question.

1. Replacement roof covering to flat stairwell

The approved scheme proposed a replacement copper roof which, as set out in the earlier Officer Report, “replicates the copper parapet details of the existing south elevation bay window and will ensure the scheme accords with the aims of Policies GP4 and GP8 of the Island Development Plan”. Furthermore, the 2017 application was deferred because, as originally submitted, the scheme proposed a GRP roof which was considered to reduce the architectural quality of the building detrimental to the Conservation Area.

The copper roof formed part of the character of the building and its contribution to the Conservation Area. Instead of grey GRP the current scheme indicates its replacement with Alkor single-ply. The original copper roof had weathered and patinated over time to become green, not dissimilar to the colour of the proposed Alkor covering. As such, there is no discernible difference between the original and proposed roof covering and will therefore conserve the character and appearance of the Conservation Area in accordance with the aims of Policy GP4 and GP8 of the Island Development Plan.

The change would not have an adverse impact on the amenities of surrounding occupiers in accordance with the aims of the Island Development Plan.

2. New stairwell window (south elevation)

The addition of a small multi-pane sash window to the first floor part of the stairwell represents an acceptable addition to the building and will not result in harm to the character and appearance of the Conservation Area. Views from the window will generally be across the car parking to the south of the site and this window will not result in unacceptable harm to the amenities of surrounding occupiers. The scheme therefore meets the aims of the relevant policies in the Island Development Plan in this respect.

3. Alterations to bay window and ground floor windows (south elevation)

The 2017 approved scheme showed a two storey bay containing three, one over one sashes to the first and second floor bay. The survey drawings and

photographs held of the building show that, prior to extension, the first floor bay to the south elevation contained three, one over one sashes. The extension therefore, sought to retain and replicate this feature of the building thereby conserving the character and appearance of the Conservation Area.

The scheme now proposes four, one over one sashes to the first and second floor bay and given the variety of windows found in the building and used in the vicinity the change to the configuration of these bay windows would conserve the character and appearance of the Conservation Area in accordance with Policies GP4, GP8 and GP9 of the Island Development Plan.

The alterations would not have a detrimental impact on the amenities of surrounding occupiers when considering the relevant policies in the Island Development Plan.

4. Alterations to fenestration (omission of glazing bars) (east and west elevations)

Prior to extension, the windows in this property were generally vertical sliding with a variety of configurations including 1-over-1, 2-over 2, 6-over 6 and 8-over-8 (which is rare). When seen in the overall context of this building the mix of windows was concluded to contribute to its character and appearance. The 2017 scheme as originally submitted proposed changes to the configuration of windows which did not accurately reflect the period and architectural style of the building and so this earlier scheme was deferred for amendments.

The change to one over one sashes as now proposed although unfortunate, would not substantially change the character and appearance of the building where multi-pane windows formed part of its character, architectural style and contribution to the Conservation Area and the omission of glazing bars would not amount to substantial harm that would warrant the refusal of planning permission. The scheme accords with Policies GP4, GP8, GP9 and GP13 of the Island Development Plan in this respect.

The change to the configuration of the windows would not have an adverse impact on the amenities of surrounding occupiers and would meet the aims of the relevant policies in the Island Development Plan.

5. Entrance doors (north elevation)

The doors in the north elevation of the building were to be replaced as part of the 2017 scheme because they were miss-matched and did not enhance the overall appearance of the building. Replacement vertical timber or timber effect doors were approved which represented an improvement.

The application sets out that the doors “have reverted back to the original elevation style and appearance” but are shown as a pair of matching glazed doors. Subject to a condition relating to the design and appearance of new doors

their replacement would accord with Policies GP13, GP4 and GP8 of the Island Development Plan.

6. External Insulation (render and brick slip)

The 2017 application drawings included a note “externally insulate the whole of the building” but did not include any details of the external insulation such as thickness, details at window reveals, eaves etc. Nonetheless, the introduction of external insulation to the render and painted parts of the building, subject to a condition requiring details to be submitted and approved, was concluded not to have a negative effect on the external appearance of the building.

The scheme now under consideration relates only to the application of 50mm of insulating render to the first and second floor levels and excluding the ground floor. This creates a step in the building elevation, which will also need to be reflected in the building details (e.g. rainwater pipes) but could be managed by condition in order to ensure the scheme complies with the aims of the Island Development Plan with regard to design of the scheme and the character of the Conservation Area.

With regard to external insulation on the brick staircase, it was noted that brick is rarely used in Guernsey as a building material other than for chimney stacks and in this case was laid using Flemish bond which is also very rare. External render over the brickwork was considered unacceptable because it would substantially change the appearance of the building and have a negative effect on the appearance and architectural interest of the Conservation Area.

Condition 4 of the 2017 permission set out:

The reconstruction and extension of the three storey bay to the eastern elevation of the building shall be carried out using bricks that match as closely as possible those of the existing bay and the brickwork shall be laid Flemish bond to match this existing bay.

Although samples of the bricks were not required by the condition the brick slip that has been installed does not have the Flemish bond finish that matched the original bay and therefore represents a breach of this planning condition.

The loss of the Flemish bond method of laying the bricks is disappointing, however this change is not so significant in terms of harm to the character and appearance of the Conservation Area to warrant the refusal of permission. The insulating measures therefore comply with Policies GP4, GP8, GP9 and GP13 of the Island Development Plan. It will be necessary however, for a written request to be made to the Planning Service in relation to the variation of the wording of condition 4 to remove reference to Flemish bond.

Conclusion

The Lookout is in a sensitive location in the hillside of town and forms part of the skyline. It also represents an unusual building, in so far that it appears to be a collection of different buildings of different styles and character, but it is a building that contributes to the character, appearance and architectural interest of the Conservation Area.

Overall the amendments proposed will ensure the building will blend into the other traditional buildings that form part of the hillside town and the variations to the 2017 approved scheme would not overall have an unacceptable adverse impact on the building and locality, within a Conservation Area. The scheme accords with the relevant policies in the Island Development Plan and is recommended for a grant of permission.

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

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

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 22 November 2021

