

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: Internal alterations, re-line gutter and replace cornice to front (east) elevation. (Protected Building).

LOCATION: Sea Dragon, 61 Hauteville, St. Peter Port.

APPLICANT: Mr A Everett

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: 18/02/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 01/12/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Application Block Layout Plan, document entitled List of changes and repairs proposed at Sea Dragon, 61 Hauteville (Interior 1 - 5, Exterior 1 and 3).

Application Ref: FULL/2021/2497

Property Ref: A406670000

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.Prior to the commencement of any work in connection therewith details of all new external vents and flues 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 - The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the work is carried out without any adverse impact on the special interest of the Protected Building or the character of the Conservation Area.

5.The approved cornice to the front/east elevation of 61 Hauteville shall be replaced to exactly match the design and detail of that to be replaced.

Reason - To preserve the character and appearance of the Conservation Area and special interest of the Protected Building.

Expiry Date: This permission will cease to have effect on 17/02/2025 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/2021/2497
Property Ref: A406670000
Valid date: 01/12/2021
Location: Sea Dragon 61 Hauteville St. Peter Port Guernsey GY1 1DQ
Proposal: Internal alterations, re-line gutter and replace cornice to front (east) elevation. (Protected Building).

Applicant: Mr A Everett

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. Prior to the commencement of any work in connection therewith details of all new external vents and flues 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 - The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the work is carried out without any adverse impact on the special interest of the Protected Building or the character of the Conservation Area.

5. The approved cornice to the front/east elevation of 61 Hauteville shall be replaced to exactly match the design and detail of that to be replaced.

Reason - To preserve the character and appearance of the Conservation Area and special interest of the Protected Building.

OFFICER'S REPORT

Brief Description of the site:

61 Hauteville is a terrace property located in the Main Centre of St Peter Port. The property is three and a half storeys in height with a render exterior and pantile roof. The property benefits from timber multi-pane and PVCu one over one sash windows to the front and rear and dormers in the front and rear roofslopes.

The application relates to internal alterations to the Protected Building to enable additional ensuite bathrooms and an enhanced kitchen to be provided. The scheme has been accompanied by a Statement of Significance.

As originally submitted the application proposed replacement windows to the front and rear however, following an inspection of the windows they were considered by the Planning Service to be capable of repair and retention and this aspect of the development was omitted from the application submission.

The site is located in the Main Centre, Conservation Area and Archaeological Area as designated in the Island Development Plan. The property is a Protected Building.

Relevant History:

Pre-application advice was sought in this case.

Existing Use(s):

06 HMO

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

x
x
x
x

visual amenity acceptable
no material neighbour impact
traffic not affected

x
x
x

Policies considered most relevant:

Island Development Plan policies:

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

Conclusion/Brief comment:

In this case, the proposals must satisfy the terms of Policies GP4 and GP5 of the Plan, and meet the statutory duties with regard to conservation areas and protected buildings set out within Sections 34, 35 and 38 of the Law. Policy GP8 (Design) would also be relevant.

With regard to Policy GP5 and the internal works on the fabric and special interest of the Protected Building the internal works to the ground floor, removing modern partition walls, will see the original plan form restored and represent a benefit to the building. The insertion of a door between a bedroom and bathroom at first floor level represents a minor change to the building that will not result in the unacceptable loss of historic fabric. The insertion of an en-suite at first and second floor levels will represent an alteration to the plan form of the room however, the partition walls proposed would be easily reversible if necessary and will not have an unacceptable adverse impact on the fabric and special interest of the building.

The new ensuites and kitchen will result in alterations to the exterior of the building through the addition of pipes, vents and flues. Details of their appearance can be managed by condition. Being situated to the rear of the building will help limit their impact outside the site.

The lining of the gutter to the front of the property with fibreglass finished grey and replacement damaged cornice on a like for like basis represents a reasonable aspiration of the property owner and accords with the aims of Policy GP5. It is reasonable to impose a condition relating to the appearance of the replacement cornice.

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 view of the above, it is recommended planning permission is granted for the proposed works.

Recommendation:

Grant with Conditions



Date: 18 February 2022

