

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, erect single storey extension, excavate to extend patio area and install external steps to south (rear) elevation, install rooflight to east (side) and internal alterations (Protected Building).

LOCATION: Seigne House, Candie Road, St. Peter Port.

APPLICANT: Mr & Mrs S Moerman

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: 23/03/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 26/01/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: CCD 3691 CD 01, 07B & 08B.

Application Ref: FULL/2022/0107

Property Ref: A114010000

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.

Expiry Date: This permission will cease to have effect on 22/03/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

This permission is given under the Land Planning and Development (Guernsey) Law, 2005. This decision does not override or prejudice any legal rights or constraints which exist in relation to the application site.

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/2022/0107
Property Ref: A114010000
Valid date: 26/01/2022
Location: Seigne House Candie Road St. Peter Port Guernsey GY1 1UP
Proposal: Demolish extension, erect single storey extension, excavate to extend patio area and install external steps to south (rear) elevation, install rooflight to east (side) and internal alterations (Protected Building).

Applicant: Mr & Mrs S Moerman

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.

INFORMATIVES

This permission is given under the Land Planning and Development (Guernsey) Law, 2005. This decision does not override or prejudice any legal rights or constraints which exist in relation to the application site.

OFFICER'S REPORT

Brief Description of the site:

Sevigne House is a three storey dwelling with render exterior and single-storey extension to the side. The front boundary is marked by timber railing and a hedge. To the rear is a single-storey extension and mono-pitched roof outbuilding. Steps exist up to the rear garden of the property which is enclosed by a granite wall.

The application relates to the demolition of the single-storey extension to the rear of the dwelling and the construction of a flat roof extension in its place. Excavations are proposed to allow for the formation of a patio to serve the new living accommodation with new steps up to the garden. The scheme also relates to the installation of a flat roof rooflight and internal alterations.

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

Relevant History:

FULL/2021/2502 - Repair windows and doors (all elevations) (Protected Building) – granted

FULL/2021/2178 - Install solar panels to south-west (rear) roofslopes (Protected Building) – granted

Existing Use(s):

01 Dwelling houses

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:

Island Development Plan policies:

GP4: Conservation Area

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Representation:

One letter has been received in relation to the application raising the following points:

- Generally pleased with the proposed development to preserve the historic nature of the house
- Concerns relate to the stability of the garden wall once excavation has been carried out
- When works were carried out to Candie Lodge the base of the wall was buttressed but no reinforcements or foundations are shown to be added in connection with these proposals or in relation to the La Battue wall
- Reassurance is sought that care will be taken during works to ensure there is no damp ingress to the roof/ceiling of the kitchen/family room at Candie Lodge

Conclusion/Brief comment:

The application has carefully considered the special interest of the building and the scheme seeks to preserve this special interest whilst proposing reasonable adaptation of the building. The proposals either mitigate the harm to the building through careful design, demonstrate that the features to be altered have low special interest or justify the alterations which are concluded to represent the reasonable aspirations of the property owner in accordance with Policy GP5.

The single-storey extension and other alterations to Sevigne House are considered to represent a high standard of design that respects the local built environment when considering the aims of the IDP. The works will not have a detrimental impact on the amenities enjoyed by the occupiers of surrounding dwellings.

Although concerns have been raised regarding the impact of excavations on the stability of the boundary walls this is a matter that would be managed through the Building Control application submission and could not prevent the grant of planning permission.

With regard to Policy GP9: Sustainable Development, it has been demonstrated that the proposed development will comply with Building (Guernsey) Regulations 2012 and therefore has taken into account the use of energy, resources and any adverse impact on the environment.

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: 22 March 2022

