

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 wall and railings, alter vehicle access and resurface driveway (Protected Building) (retrospective).

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

APPLICANT: RWC Investments

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: 16/06/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/03/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture - 2202 02.01A

Application Ref: FULL/2022/0583

Property Ref: A113910000

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.Notwithstanding the information submitted, within 6 months of the date of the decision notice, the roadside wall and railings shall be erected and installed in accordance with the approved details.

Reason - to preserve the special interest of the Conservation Area and in the interests of visual amenity within a reasonable time period.

Expiry Date: This permission will cease to have effect on 15/06/2025 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/2022/0583
Property Ref: A113910000
Valid date: 08/03/2022
Location: Sura House Candie Road St. Peter Port Guernsey GY1 1UP
Proposal: Install wall and railings, alter vehicle access and resurface driveway (Protected Building) (retrospective).

Applicant: RWC Investments

RECOMMENDATION - Grant: Planning Permission with Conditions:

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Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

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4. Notwithstanding the information submitted, within 6 months of the date of the decision notice, the roadside wall and railings shall be erected and installed in accordance with the approved details.

Reason - to preserve the special interest of the Conservation Area and in the interests of visual amenity within a reasonable time period.

OFFICER'S REPORT

Brief Description of the site:

The whole of the building is a protected building. The site is in the St Peter Port Conservation Area and Main Centre Outer Area. This part of the Conservation Area is characterised by formal Georgian-style houses. Those on the north side of the road were present by 1843, are large and set behind formal gardens with driveways and have large gardens to the rear. Those on the south side, including Sura House, were chiefly present by 1873, are smaller and semi-detached. The houses are not as grand as those to the north but the frontages are no less formal. Roadside boundaries are for the most part intact and consist of low walls surmounted by timber or metal railings. There is a garden to the rear of each house.

Planning permission was granted in 2019 to remove a 1.1m section of roadside wall and railings to increase the width of the vehicular access to 3.9m and to replace the remaining railings with hardwood timber railings.

Planning permission is now sought to install a roadside wall and railings, alter the vehicle access and resurface the driveway. The proposed 4m wide vehicle access will feature a centralised opening as opposed to the asymmetric design as originally featured and approved in 2019. The railings will be comprised of wrought iron capped with brick, and the pillars finished in smooth render.

Some concerns were raised with regards to the centralised access point and its effect on the character and appearance of the Conservation Area given that the majority of vehicle access points along Candie Road comprise an asymmetrical design. In response, the agent has attempted to justify its retention as proposed, noting the equidistance between pedestrian access points of neighbouring properties compared to the proposed development.

Relevant History:

FULL/2019/0558	Remove section of roadside wall and railings to increase width of vehicular access and replace remaining railings (Protected Building) (Retrospective)	Granted
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Existing Use(s):

Residential

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:

Policy GP4: Conservation Areas
Policy GP5: Protected Buildings
Policy GP8: Design
Policy GP13: Householder Development
Policy IP9: Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

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.

The roadside boundary of Sura House is not part of the protected building and therefore Policy GP5 is only applicable in so far as the development's effect on the setting of the house, and adjoining houses that are protected.

Similar to the previous decision (FULL/2019/0558), the replacement of the railings and modest increase to the width of the access from 3.9 to 4m would have no adverse effect on the setting of the building. Parking to the front of the dwelling has already been established as part of application FULL/2019/0558.

With regards to the design of the proposal, the proposed central access to the property will be noticeable when viewed in context with other properties in the locality, mainly on the opposite side of the road (north of Candie Road). However, despite being noticeable, the degree of harm is considered to be limited and would not be so substantial to cause sufficient harm to the character or appearance of the Conservation Area to justify refusal based on the configuration of the access point alone.

In addition, Policy GP5 and GP13 enable a degree of flexibility with regards to householder development in which the configuration of the access point is considered to be a reasonable aspiration of the property owner. The proposed

metal railings and rendered pillars would make an equal contribution to Conservation Area. No objection is raised to this element of the proposal.

Provided that the development is finished appropriately as set out in the application, the marginal increase to the width of the access would conserve the character, architectural interest and appearance of the Conservation Area. The proposal accords with Policies GP4, GP8, GP13 and IP9.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 16/06/22

