

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 extensions and outbuildings, extend lightwell at basement level and erect captains dormer window to north (rear) elevation, create balcony at 2nd floor level to west (side) elevation and internal alterations. Infill wall to west boundary and widen vehicle access to south boundary (Protected Building).

LOCATION: Claremont House, Cambridge Park Road, St. Peter Port.

APPLICANT: Grange Estates (Claremont) Limited

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: 26/04/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/12/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd - 7565-01 B1A, B2A, B3A, B4B & B5A.

Application Ref: FULL/2022/2284

Property Ref: A112070000

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 existing access shall be widened as shown on the approved plans and the altered end of the opening shall be finished off using materials and a method of construction which match the remainder of the wall within four weeks of the demolition of the adjacent outbuilding.

Reason - To secure the satisfactory appearance of the completed development and road safety enhancements.

5.Prior to the commencement of any development, an Internal Door Schedule shall be submitted to and approved in writing by the Authority. The Internal Door Schedule shall identify the age of each door, doors to be removed or relocated and specify any works necessary to upgrade the fire and sound resistance of the doors. The development shall be completed only in accordance with the Internal Door Schedule as approved.

Reason - To ensure the special interest of the protected building is sustained in accordance with Policy GP5.

6.Prior to the commencement of any development 1:20 scale elevations and 1:5 scale details of all new windows and doors and the proposed balustrade to the balcony shall be submitted to and approved in writing by the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - To ensure the special interest of the protected building is sustained in accordance with Policy GP5.

7.Prior to the commencement of any development, a Timber and Damp Treatment

Survey shall be submitted to and approved in writing by the Authority. The Timber and Damp Treatment Survey shall identify any defects in the timbers of the protected building and means to address those defects. The development shall be completed only in accordance with the approved Timber and Damp Treatment Survey.

Reason - To ensure the special interest of the protected building is sustained in accordance with Policy GP5.

8. Unless explicitly stated on the approved application drawings, planning permission is not given to remove or replace any existing external windows or external doors.

Reason - To ensure the special interest of the protected building is sustained in accordance with Policy GP5.

9. Prior to the commencement of any development, precise details of the hard surfaced areas have been 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.

Expiry Date: This permission will cease to have effect on 25/04/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

In terms of condition 9 the details will need to demonstrate that the hard surfaced areas will be created using porous materials or provision should be made for all run-off water to be taken to a permeable or porous area. Advice about surfacing types and construction methods is contained within a UK Government publication: 'Guidance on the permeable surfacing of front gardens'. This contains useful guidance and can be viewed at www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens.

If during ground works or implementation of this permission anything of archaeological interest is discovered then please contact the States Archaeologist, Culture & Heritage Service, in the first instance. The Archaeology team can be contacted on 01481 220729 or 01481 220722.

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/2022/2284
Property Ref: A112070000
Valid date: 09/12/2022
Location: Claremont House Cambridge Park Road St. Peter Port
Guernsey GY1 1UF
Proposal: Demolish extensions and outbuildings, extend lightwell at
basement level and erect captains dormer window to north
(rear) elevation, create balcony at 2nd floor level to west
(side) elevation and internal alterations. Infill wall to west
boundary and widen vehicle access to south boundary
(Protected Building).

Applicant: Grange Estates (Claremont) Limited

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 existing access shall be widened as shown on the approved plans and the altered end of the opening shall be finished off using materials and a method of construction which match the remainder of the wall within four weeks of the demolition of the adjacent outbuilding.

Reason - To secure the satisfactory appearance of the completed development and road safety enhancements.

5. Prior to the commencement of any development, an Internal Door Schedule shall be submitted to and approved in writing by the Authority. The Internal Door Schedule shall identify the age of each door, doors to be removed or relocated and specify any works necessary to upgrade the fire and sound resistance of the doors. The development shall be completed only in accordance with the Internal Door Schedule as approved.

Reason - To ensure the special interest of the protected building is sustained in accordance with Policy GP5.

6. Prior to the commencement of any development 1:20 scale elevations and 1:5 scale details of all new windows and doors and the proposed balustrade to the balcony shall be submitted to and approved in writing by the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - To ensure the special interest of the protected building is sustained in accordance with Policy GP5.

7. Prior to the commencement of any development, a Timber and Damp Treatment Survey shall be submitted to and approved in writing by the Authority. The Timber and Damp Treatment Survey shall identify any defects in the timbers of the protected building and means to address those defects. The development shall be completed only in accordance with the approved Timber and Damp Treatment Survey.

Reason - To ensure the special interest of the protected building is sustained in accordance with Policy GP5.

8. Unless explicitly stated on the approved application drawings, planning permission is not given to remove or replace any existing external windows or external doors.

Reason - To ensure the special interest of the protected building is sustained in accordance with Policy GP5.

9. Prior to the commencement of any development, precise details of the hard surfaced areas have been 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.

INFORMATIVES

In terms of condition 9 the details will need to demonstrate that the hard surfaced areas will be created using porous materials or provision should be made for all run-off water to be taken to a permeable or porous area. Advice about surfacing types and construction methods is contained within a UK Government publication: 'Guidance on the permeable surfacing of front gardens'. This contains useful guidance and can be viewed at www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens.

If during ground works or implementation of this permission anything of archaeological interest is discovered then please contact the States Archaeologist, Culture & Heritage Service, in the first instance. The Archaeology team can be contacted on 01481 220729 or 01481 220722.

OFFICER'S REPORT

Brief Description of the site:

The site is on the western side of Cambridge Park Road and comprises 'Claremont House', which is an early C19 Georgian building containing three flats, with associated gardens to the west and south. The whole of the property (interior and exterior) excluding the garage and modern rear extension form a protected building.

Claremont House adjoins another three storey semi-detached early C19, Georgian house to the north forming a pair. To the south a late C19, terrace of dwellings is distinctly different in scale, appearance and character. The gardens of the site provide an important gap in development between these differing styles of dwellings.

The site is situated within a Main Centre Outer Area and within St Peter Port Conservation Area as designated in the Island Development Plan.

Relevant History:

FULL/2022/2272	Erect 2 storey detached building to create garages and flat (residential Use Class 2)	Pending Consideration
FULL/2010/3446	To erect a dwelling	Granted 16/12/2010

Existing Use(s):

Flats – Residential Use Class 2

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 Policies:

GP4: Conservation Areas;

GP5: Protected Buildings;

GP7: Archaeological Remains;

GP8: Design;

GP9: Sustainable Development;

GP13: Householder Development;

IP7: Private and Communal Car Parking;

IP9: Highway Safety, Accessibility and Capacity

Consultations:

The States Archaeologist by letter dated 22nd December 2022 stated the following in respect of the concurrent application ref FULL/2022/2272: *“The proposed development of a two storey detached building will sit within the grounds of L’Hyvreuse as depicted on the 1787 Duke of Richmond Map of Guernsey, the land was subsequently subdivided into plots by 1873 along Cambridge Park Road. The intended area for development, although landscaped was not built upon and therefore the potential for undisturbed archaeological deposits exists. Because of the above, I would be grateful if you could place an informative notice on any approval to the effect that if anything of archaeological interest is discovered during the ground works then the Archaeological team should be contacted.”*

As the works proposed under this application would include the disturbance of ground in the same location, it would be reasonable to reiterate this informative on any decision issued.

Conclusion/Brief comment:

The whole of the property (interior and exterior) excluding the outbuilding/garage and modern rear extension forms a protected building.

It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting protected buildings, to secure so far as possible that the special historic, architectural, traditional or other special characteristics (including setting) are preserved. This duty is reflected in Policy GP5 of the IDP.

Policy GP5 states that *“Proposals to extend or alter a protected building will be supported where the development does not have an adverse effect on the special interest of the particular protected building or its setting or where the economic, social or other benefits of the development and, where appropriate, its contribution to enhancing the vitality of a Main Centre outweigh the presumption against adversely affecting that special interest. In all cases proposals must also accord with all other relevant policies of the Island Development Plan*

The application involves a number of alterations to the exterior, interior and within the grounds of the protected building. The below table summarises those alterations and assesses their effect on the special interest of the building using the methodology set out in BS 7913:2013.

	Value	Impact	Effect	Comments
Basement				
Replace existing door with a new timber window	low	Major	slight	Modern door to be removed of no historic interest
Provision of bathroom facilities	High	Major	Large/very large	demolish pantry wall and storage shelves. This will impact on the historic features/fabric of the building.
Create/extend existing light wells	Medium	Moderate	moderate	No significant impact on historic features or fabric of the building.
Ground floor				
Existing internal walls and floors to be upgraded as required to meet fire resistance and sound insulation standards.	Low	Moderate	Slight	No impact on historic features or fabric of the building.
Widened opening between the kitchen and living space.	Medium	Moderate	Moderate	Kitchen can vent through the rear elevation. No impact on historic fabric or features of the building.
provision of WC	Low	Minor	Neutral/Slight	vents through the side elevation no significant impact on the historic features or fabric of the building
demolish conservatory	Negligible	Major	Slight	Conservatory is a modern addition and is not included on the protected building notice. No significant impact on the historic features or fabric of the building
demolish rear extensions	Negligible	Major	slight	Extension is a modern addition and is not included on the protected building notice. No significant impact on the historic features or fabric of the building

new partition walls/sliding doors between kitchen and living room	Medium	Moderate	moderate	no significant impact on the historic features or fabric of the building
replace existing door with new window	Low	Major	Slight/moderate	no significant impact on the historic features or fabric of the building
partially infill door and new window	Low	Major	Slight/moderate	no significant impact on the historic features or fabric of the building
demolish wall for new window	Low	Major	Slight/moderate	no significant impact on the historic features or fabric of the building
demolish partition wall at entrance lobby and new partition wall	Low	Major	Slight/moderate	no significant impact on the historic features or fabric of the building
First floor				
internal walls to be upgraded as required to meet fire resistance and sound insulation standard.	Low	Moderate	Slight	No historic features present. no significant impact on the historic features or fabric of the building
Widened opening between the kitchen and living space in Unit 2 to make kitchen area – removal of historic fabric	Medium	Moderate	Moderate	no significant impact on the historic features or fabric of the building
Alterations to internal walls to provide access to bathroom.	Low	Moderate	Slight	No historic fabric/features
Relocated entrance to Unit 3. Blocking up door units. Historic door that has been kept shut. This could be re-used for the entrance to unit 2 or 3	Medium	Moderate	Moderate	no significant impact on the historic features or fabric of the building
Alterations to partition between Bed 1 and Bed 2 –	Low	Moderate	Slight	modern partition
Second Floor				
Provision of a shower room.				Some alterations to historic fabric.
Utilising existing flat roof to provide a balcony accessed from the living space.	High	Moderate	Moderate /large	Change to external appearance. Might need some form of new construction or finishes over the flat roof. Demolition of external wall for new door. no significant impact on the historic features or fabric of the building
Partition between the stair	High	Minor	Slight/moderate	No significant impact on historic features or fabric of the building.
Third Floor				
Relocate door of proposed ensuite/infill door, create new door	Medium	Moderate	Moderate	No significant impact on historic features or fabric of the building.

Provision of new Captain's dormer to the rear	High	Moderate	Moderate /large	No significant impact on historic features or fabric of the building.
Other Works				
Timber and damp treatments			Unknown	Condition required to request timber and damp survey
Existing timber windows to be retained and serviced where practicable.	Very high	Negligible	slight	Condition that explicitly states that the windows are not to be replaced

The above assessment indicates that most of the proposed works will not have a substantial effect on the protected building. However, the provision of bathroom facilities will have a substantial effect as this will remove the fabric of a historic larder which is of historical importance. However, these works are necessary to provide bathroom facilities at the basement level and there are no other options for relocating this bathroom. Therefore, whilst this element of the application has a substantial effect, the overall cumulative effect of the application on the special interest of the protected building would not be substantial, and would be outweighed by the reasonable aspiration of the property owner. The application complies with the provisions of Policy GP5 in this respect.

Notwithstanding the above, there are some elements of the development, which are unresolved and should be controlled by planning condition. Should permission be granted it is recommended that conditions are imposed for the following:

- An internal door schedule to show the age of each door, doors to be removed and relocated and confirmation of the works required to upgrade the fire and sound resistance of each door;
- 1:20 scale elevations and 1:5 scaled details of all new windows and doors;
- A timber and damp treatment survey to identify any defects in the timbers within the protected building and means to address such defects.

The application also includes the creation of a driveway and 5 car parking spaces in the garden to the south of the protected building. The impacts of these alterations on the setting of the protected building need to be assessed in accordance with Policies GP5 and GP8 of the IDP.

To the south of the protected building is a garden that forms part of the setting of the protected building. This plot of land effectively forms a gap site within the street scene, that initially was probably formed to be part of the main terrace, but over time has become part of the grounds of the protected building. The garden area therefore has medium value to the setting of the protected building. The proposed development would have a moderate impact, resulting in a slight effect on the setting of the protected building. Any effect would not be so significant to warrant the refusal of planning permission and would be outweighed by the reasonable aspirations of the property owner.

The conservatory and extension proposed to be demolished are not visible within the street scene and their demolition would not cause harm to the character of the Conservation Area.

The proposal also includes the removal of an outbuilding and a small 1m section of the boundary wall to the east of the property to extend the existing vehicle access point into the site. The boundary wall contributes to the character of the surrounding Conservation Area however, the extent of demolition is minimal and a substantial section of boundary wall will be retained and will continue to provide an important feature within the Conservation Area.

At second floor level the proposal includes a balcony to be created on the roof of an existing extension. The elevations of the balcony will be treated with a 1.1m high stainless-steel balustrade painted black. This will provide an element of safety whilst being in-keeping with the traditional design of the property, the surrounding area and other balustrades that are present on other properties in this location. The proposed captain's dormer is of suitable design and scale and situated to the rear would be largely unseen from the surrounding Conservation Area. Considering the above the scheme presents an acceptable design solution which would be in-keeping with the character and appearance of the Conservation Area in accordance with Policies GP4 and GP8 of then IDP.

In terms of impact on neighbours, the captain's dormer would be situated to the rear elevation of the property where other principal windows are present. The balcony at second floor level will only be formed on part of the existing flat roof and not the full extent. Views from the balcony to a large extent will be towards the blank elevation of the neighbouring property to the south (3 Portland Place). Although views will be possible towards the garden area of this neighbouring property, existing windows are present in the south facing elevation of the application building which are situated closer than the proposed balcony. Furthermore, a separation distance of 12m will remain which is acceptable for a densely populated urban area such as this. The proposal would not cause harm to neighbouring properties with regards to loss of light or overshadowing. Based on the above the scheme accords with Policy GP8 in this respect and any harm on the amenities of neighbouring properties would not be so substantial to warrant the refusal of permission.

The alterations proposed will improve the overall living conditions and amenities for the occupiers of all of the existing flats and provide a better standard of accommodation.

In total five car parking spaces are to be provided for the proposed flats, two of which will be disabled spaces, in accordance with the Parking Standards. The spaces have been arranged to allow vehicles to enter and leave the site forward facing. The proposal will improve the current situation and reduce reliance on on-street car parking, however there is no requirement for parking provision in this location and the flats do not currently benefit from such parking therefore it is not considered reasonable to require provision of the parking by condition. The widening of the

vehicle access will improve the existing situation and consequently highway safety. Demolition of the adjacent outbuilding would enable the intensification of use of this access and it is therefore recommended that the decision be conditioned to ensure that the access is widened within an appropriate timeframe of the demolition work. The proposal includes covered bicycle storage however, as with the vehicular parking, it is not considered reasonable to require this by condition in this instance.

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.

Recommendation:

Grant with Conditions



Date: 19/04/2023

