

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 and rebuild chimney and re-render to west gable (Protected Building).

LOCATION: The Town House, Mount Row, St. Peter Port.

APPLICANT: Mr & Mrs S Crisp

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: 27/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 31/01/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Application Block Layout Plan, drawings entitled The Town House west chimney from the west and from the south and photograph sheet

Application Ref: FULL/2023/0250

Property Ref: A307440000

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 chimney stack shall be re-constructed on a like for like basis reusing the existing bricks. Should any new bricks be required as part of the construction work a sample of the new bricks to be used shall be submitted to and agreed in writing by the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the development.

Reason - In the interests of visual amenity and to preserve the special quality and appearance of this Protected Building.

5.No details of the proposed lead tray have been submitted with this planning application and the lead tray hereby approved in connection with the construction of a replacement chimney stack shall be constructed in accordance with the details set out by Lead Sheet Association.

Reason - To secure the satisfactory appearance of the completed development in order to preserve the special interest of the Protected Building.

6.The existing chimney pots shall be set aside during dismantling of the existing chimney stack and shall be reinstated within four weeks of the new chimney stack having been constructed.

Reason - To secure the satisfactory appearance of the completed development and to preserve the special interest of the building and the Conservation Area.

Expiry Date: This permission will cease to have effect on 26/03/2026 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/2023/0250
Property Ref: A307440000
Valid date: 31/01/2023
Location: The Town House Mount Row St. Peter Port Guernsey GY1 1NS
Proposal: Demolish and rebuild chimney and re-render to west gable (Protected Building).

Applicant: Mr & Mrs S Crisp

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.

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sample of the new bricks to be used shall be submitted to and agreed in writing by the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the development.

Reason - In the interests of visual amenity and to preserve the special quality and appearance of this Protected Building.

5. No details of the proposed lead tray have been submitted with this planning application and the lead tray hereby approved in connection with the construction of a replacement chimney stack shall be constructed in accordance with the details set out by Lead Sheet Association.

Reason - To secure the satisfactory appearance of the completed development in order to preserve the special interest of the Protected Building.

6. The existing chimney pots shall be set aside during dismantling of the existing chimney stack and shall be reinstated within four weeks of the new chimney stack having been constructed.

Reason - To secure the satisfactory appearance of the completed development and to preserve the special interest of the building and the Conservation Area.

OFFICER'S REPORT

Brief Description:

Permission is requested to rebuild the west chimney stack and to re-render the west elevation of the dwelling, The Town House.

The site and the adjoining property, Vue Des Arbes, are protected buildings (exterior only). The site is in a Conservation Area and Main Centre Outer Area as designated in the Island Development Plan.

Relevant History:

FULL/2015/2727 - Rebuild shared chimney and paint exterior of dwelling. (Protected Building)

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:

GP4: Conservation Areas

GP5: Protected Buildings

GP8: Design

GP9: Sustainable development

GP13: Householder development

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 application is acceptable in relation to the above policies and other material planning considerations.

Recommendation:

Grant with Conditions

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Date: 27/03/2023

