

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: Erect two storey and single storey extensions to east (rear) elevation and create enclosed link extension to internal courtyard and internal alterations (Protected Building).

LOCATION: Chateau Du Village, Fort Road, St. Peter Port.

APPLICANT: CI Healthcare

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: 14/06/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/03/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd: 6675-07 B1, B2B, B3, B4 & B5

Application Ref: FULL/2023/0321

Property Ref: A410440000

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 first floor windows in the east elevation of the rear extension hereby approved shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) and which shall thereafter be retained as such at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

Expiry Date: This permission will cease to have effect on 13/06/2026 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/2023/0321
Property Ref: A410440000
Valid date: 22/03/2023
Location: Chateau Du Village Fort Road St. Peter Port Guernsey GY1 1ZP
Proposal: Erect two storey and single storey extensions to east (rear) elevation and create enclosed link extension to internal courtyard and internal alterations (Protected Building).

Applicant: CI Healthcare

RECOMMENDATION - Grant: Planning Permission with Conditions:

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OFFICER'S REPORT

Brief Description of the site:

Chateau du Village is a nursing home situated to the east of Fort road. The whole of the front section of the building, together with the garden area to the west of the building and the roadside arch is a protected building. The rear extensions are excluded from protection. The site is situated Outside of the Centres.

Relevant History:

FULL/2018/0927	Erect extension at rear of property.	Granted 26/06/2018
FULL/2017/2293	Erect a summer house at rear of property.	Granted 25/10/2017
FULL/2017/1684	Alter and extend parking area. (Protected Building).	Withdrawn 24/01/2018
FULL/2017/1177	Extend property at first floor level (south and west elevations) including juliet balconies (south elevation) and dormer windows (west elevation), rebuild chimney stack on new gable end, and internal alterations. (Protected Building).	Granted 01/09/2017
FULL/2016/2778	Temporarily site a portable building on front lawn.	Granted 16/01/2017

Existing Use(s):

Residential – Use Class 4

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:

GP8: Design

GP9: Sustainable development

GP13: Householder development

IP7: Private and Communal Parking

Conclusion/Brief comment:

Planning permission is sought to erect a two storey extension attached to the rear (east facing) elevation of the building, a single storey extension attached to the side elevation and a glazed link extension to provide a cover to an internal courtyard and to link two separate sections of the building internally. Internal alterations are also proposed which include a small extension to the basement.

The Island Development Plan defines nursing and residential homes as specialised housing and the proposal therefore falls to be considered under Policy GP13: Householder Development.

Policy GP13 of the Island Development Plan is generally supportive of proposals for domestic extensions, alterations and other such householder development where: there are no significant adverse effects on the amenities of neighbouring properties; the design, scale, mass and form would not detract from the open character of open locations; and, they do not adversely affect the special interest of a Conservation Area or Area of Biodiversity Importance or protected building or protected monument.

In addition, the development would be located within the curtilage of 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 and GP8 of the IDP which supports proposals to extend or alter a protected building where the development proposed does not have an adverse effect on the special interest of the particular protected building or its setting.

The proposed two storey extension will comprise a hipped roof addition attached to the rear elevation of the property. The extension will provide an ensuite to an existing bedroom and two additional ensuite bedrooms at both ground and first floor levels. The extension will be constructed using rendered blockwork and natural slate roof tiles to match the existing nursing home. Planning permission was granted in 2018 for a similar rear extension subject to application reference: FULL/2018/0927. Although the permission has expired it was considered under the same policies of the IDP.

The single storey extension will be attached to the east elevation of the building, will extend the existing day room and will be constructed using materials to match the main building. The linked extension will comprise a flat roof with large roof light between and hidden from view from the surrounding area by two existing pitched roof elements of the building.

Located to the rear of the existing building the proposed extensions will be seen in context with the modern extensions and alterations which do not form part of the protected part of the building. The proposals are of an appropriate scale and form and given their position, would not have a detrimental impact on the setting of the protected building or on the character or appearance of the surrounding area.

No windows are proposed in the east facing elevation of the two storey extension at ground floor level and at first floor level two windows are proposed, however these will serve en-suite bathrooms which will be obscure glazed. To the north the proposal will be situated circa 14m from the garden boundary in this direction which is sufficient to prevent any overlooking from the first floor bedroom window. To the south no first floor windows are proposed and therefore any loss of privacy as a result of the proposal would not be so substantial to warrant the refusal of planning permission.

With regard to overshadowing and light loss, the two storey extension in particular will be built closer to the boundary shared with the building to the east, which currently comprises an outbuilding. Although permission has been granted to convert that outbuilding into a dwelling (Ref: FULL/2022/0266) it does not appear to have been implemented. Irrespective the approved plans for the conversion show that in the closest elevation to the extension the subject of this report, there are no windows to principal rooms that would be affected. The proposals are sufficient distance from the property to the north and would not harm the property to the south.

Sufficient amenity space and car parking will remain for the nursing home and for the above reasons the proposal accords with the provisions of Policies GP5, GP8, GP13 and IP7 of the IDP.

The applicant's agent has provided confirmation that the design and specification of the proposal complies with all parts of the Guernsey Technical Standards 2012 adopted by the Building Control Department, specifically in terms of: thermal efficiency (insulation); drainage; water efficiency; materials to be used; waste storage and disposal; and the conservation of fuel and power. The proposal has been designed to take into account the use of energy and resources and to reduce any impact on the environment and therefore complies with Policy GP9 of the Island Development Plan.

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: 13/06/2023

