

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 replacement windows and doors to east elevation, repair and retain windows and replace doors to west elevation and some internal alterations (Protected Building).

LOCATION: Harbour House, South Esplanade, St. Peter Port.

APPLICANT: Lisia Holdings Ltd

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: 30/01/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/04/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Bhp: G4684 01 01, 02 01C. 02 03E.

Application Ref: FULL/2023/0757

Property Ref: A401740000

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.No development shall begin on site until large scale drawings of all new windows, to scale of 1:20, with sections at 1:5, 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 make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005 and Policy GP5 of the Island Development Plan.

Expiry Date: This permission will cease to have effect on 29/01/2027 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/2023/0757
Property Ref: A401740000
Valid date: 13/04/2023
Location: Harbour House South Esplanade St. Peter Port Guernsey
Proposal: Install replacement windows and doors to east elevation, repair and retain windows and replace doors to west elevation and some internal alterations (Protected Building).

Applicant: Lisia Holdings Ltd

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. No development shall begin on site until large scale drawings of all new windows, to scale of 1:20, with sections at 1:5, 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 make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005 and Policy GP5 of the Island Development Plan.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Harbour House' is a five and a half storey building which faces east directly onto the South Esplanade. The four and a half storey Yacht Inn is attached to the north and a two storey flat roof building is attached to the south. To the west is a set of granite steps which go up to Cliff Street. Harbour House is situated within the St Peter Port Main Centre, Conservation Area and Harbour Action Area as defined in the Island Development Plan. The property is also a Protected Building.

Relevant History:

FULL/2023/0761 – install replacement air conditioning units and acoustic screening to flat roof and install replacement window to east elevation (Protected Building) – Pending.

Existing Use(s):

Administrative, financial and professional services use class 16: administrative office.

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:

MC4(A): Office Development in Main Centres

MC10: Harbour Action Areas

GP4: Conservation Areas

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

Conclusion/Brief comment:

This application was initially to replace all windows and doors on the east and west elevations, to install roller shutter doors to the east elevation, with cladding and some internal alterations.

The application was deferred because the fenestration did not suit the age and style of the building. Since the deferral the roller shutter doors and cladding on the east elevation have been omitted.

Policy MC4(A) states that proposals for the refurbishment or redevelopment of existing office stock within the Main Centres and the development of office accommodation above ground floor will be supported.

The proposals are not going to prejudice the outcomes of the Local Planning Brief process or inhibit the implementation of a Local Planning Brief once it is approved because they are minor and inconsequential in nature therefore the scheme addresses Policy MC10.

The new fenestration is now considered to fit the age of the building and complements the adjacent building, and the style, character and appearance of the surrounding conservation area. The proposals are not considered to have any detrimental impacts on neighbour amenity

The rear west facing fenestration is to be repaired and retained as the west elevation has a more domestic feel in its surroundings and the six over six sash windows are appropriate for the area. The proposals are not considered to impact on the special character and appearance of the surrounding conservation area, nor will they effect neighbour amenity.

All the internal alterations are considered acceptable and comply with the relevant policies.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 26/01/2024

