

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: Variation to previously approved plans to convert upper floors to create 3 flats (Protected Building) - Alterations to bin/bicycle store (amendment to condition 11, FULL/2016/2500).

LOCATION: No 14 Fountain Street &, St Peters Court, Cornet Street, St. Peter Port.

APPLICANT: Mr H Tabel

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: 16/06/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 28/04/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture - 1941-1 02.01

Application Ref: FULL/2023/0828

Property Ref: A40023A000

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 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.

3.The bin storage and bicycle parking hereby approved shall be retained in perpetuity for the use by the flats approved under application FULL/2016/2500.

Reason - To encourage the use of bicycles as an alternative to the car and to ensure adequate provision for the storage of waste.

4.The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 24/10/2017, issued under planning application reference FULL/2016/2500, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

Expiry Date: This permission will cease to have effect on 15/06/2026 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/2023/0828
Property Ref: A40023A000
Valid date: 28/04/2023
Location: No 14 Fountain Street & St Peters Court Cornet Street St. Peter Port Guernsey GY1 1BZ
Proposal: Variation to previously approved plans to convert upper floors to create 3 flats (Protected Building) - Alterations to bin/bicycle store (amendment to condition 11, FULL/2016/2500).
Applicant: Mr H Tabel

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 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.

3. The bin storage and bicycle parking hereby approved shall be retained in perpetuity for the use by the flats approved under application FULL/2016/2500.

Reason - To encourage the use of bicycles as an alternative to the car and to ensure adequate provision for the storage of waste.

4. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 24/10/2017, issued under planning application reference FULL/2016/2500, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

OFFICER'S REPORT

Brief Description of the site:

Retrospective planning permission is requested for variations to previously approved plans to convert upper floors to create 3 flats (FULL/2016/2500). The variations involve alterations to the bin/bicycle store which were required under condition 11 of permission FULL/2016/2500, as set out below, to remove the requirement for the parking to be in accordance with the previously approved plan:

No dwelling shall be occupied until the bin storage and bicycle parking indicated on drawing 5086-04-A has been completed in accordance with the submitted details. The bin storage and bicycle parking shall thereafter be retained for use by the hereby approved dwellings.

The site consists of a traditional four storey mid-terraced building to the south-east of Fountain Street. The whole of the building is a protected building. The bin and bicycle store is located within a single storey outbuilding to the rear (south-east) on the opposite side of St Peters Court.

The site is in the St Peter Port Conservation Area and Main Centre Inner Boundary and is within an area of archaeological interest.

Relevant History:

24/10/2017 – FULL/2016/2500 – Permission granted to convert upper floors to create 3 flats, install rooflights in front (north-west) elevation, install replacement window and smoke vent in rear (south-east) elevation and internal alterations (Protected Building).

Existing Use(s):

Residential/store

Assessment: (Tick as appropriate)

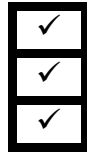
no representation



visual amenity acceptable



accords with policy
within curtilage
design acceptable



no material neighbour impact
traffic not affected



Policies considered most relevant:

MC2 – Housing in Main Centres and Main Centre Outer Areas
GP4 – Conservation Areas
GP5 – Protected Buildings
GP8 - Design
GP9 – Sustainable Development
IP6 – Transport Infrastructure and support facilities

Conclusion/Brief comment:

As set out in the Parking Standards Supplementary Planning Guidance, December 2016, secure covered storage is required for three bicycles for the 3, one bedroom flats. Although the bin and bicycle store has reduced in size from that originally approved, the store remains adequate for its intended purpose. The proposal accords with Policy IP6 and the Parking Standards Supplementary Planning Guidance.

As the application is retrospective, and the cycle storage has already been provided, the first part of Condition 11 is no longer required, and it is only necessary to reiterate the second part of the condition on the decision issued under this application, to require the ongoing provision of cycle storage.

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.

It is recommended that the application is approved.

Recommendation:

Grant with Conditions



Date: 16/06/2023

