

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: Replace roof structure and internal alterations (Protected Building).

LOCATION: 72 Victoria Road, St. Peter Port.

APPLICANT: Mr J Armstrong & Mr M Johnson

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: 13/07/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/06/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: VR-001D, VR-010 & VR-011

Application Ref: FULL/2023/0876

Property Ref: A303760000

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.

Expiry Date: This permission will cease to have effect on 12/07/2026 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/2023/0876
Property Ref: A303760000
Valid date: 07/06/2023
Location: 72 Victoria Road St. Peter Port Guernsey GY1 1JB
Proposal: Replace roof structure and internal alterations (Protected Building).

Applicant: Mr J Armstrong & Mr M Johnson

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.

OFFICER'S REPORT

Brief Description of the site:

72 Victoria Road is a terrace property situated to the north of the one way road. On-street parking exists along the length of Victoria Road. The building is three and a half-storeys in height (including basement flat) with a pitched slate roof. Pitched roof dormers exist in the front and rear roofslopes. The front of the property has decorative multi-pane windows, cornice detail and a six panel front door. PVCu windows have been installed to the rear of the property.

The application relates to the replacement the replacement roof structure and replacement internal partition walls at ground and first floor levels.

The site is located in the Main Centre and Conservation Area as designated in the Island Development Plan.

Relevant History:

FULL/2019/0073 - (Formerly Basement Flat) Le Creux, 72 Victoria Road - Alterations to fenestration, remove section of external render and interior alterations (Protected Building) - granted

FULL/2021/0964 - Re-roof main dwelling and rear lean-to roof, re-render dwelling and demolish and rebuild chimney stacks (east and west), install replacement windows, front door, fascia to rear and rainwater goods to front. Internal alterations. (Protected Building) – granted

FULL/2022/1315 - Replacement windows to south (front) elevation (Protected Building) – refused

Existing Use(s):

- 01 Dwellinghouse
- 02 Flat

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

Island Development Plan policies:

GP4: Conservation Areas
GP5: Protected Buildings
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:

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

To interpret the potential effect of the development on the overall special interest of the Protected Building, the value of elements of the building will be assessed against the magnitude of impact of the works in order to establish the effect on special interest and to interpret the potential effect of the development on the overall special interest of the Protected Building. For the purpose of this report BS 7913:2013 has been used to assess the magnitude of impact of the development against the value of the special interest of the building.

The elements of the building proposed for replacement are of medium value. Their removal would have a major impact, the effect on overall special interest of which would be moderate/large (BS 7913:2013). In this instance, the proposed works represent a reasonable aspiration (to remedy structural defects) of the owner which outweighs that adverse effect. The scheme therefore complies with Policy GP5 of the IDP.

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.

In view of the above it is recommended planning permission is granted for the proposed alterations to 72 Victoria Road.

Recommendation:

Grant with Conditions



Date: 11/07/2023

