

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 extension, erect single storey extension to south (rear) elevation, extend and alter at ground and first floor level to west (side) elevation (Protected Building).

LOCATION: Sura House, Candie Road, St. Peter Port.

APPLICANT: Mr & Mrs Alter

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: 23/11/2023

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

Drawing Nos: JG Architecture Ltd: 2174-1 02.01A & 02.02A

Application Ref: FULL/2023/1239

Property Ref: A113910000

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.Prior to the commencement of works (excluding site and demolition works), large scale drawings to a scale of 1:10, or 1:20 with sections at 1:5 of the new door and window to the front (north) of the house must be submitted to and agreed in writing by the Authority. The development shall thereafter be carried out only in accordance with the agreed details.

Reason - The detailing of the new door and window to the front of the house is vague and not shown at a sufficient scale and therefore further information is required to ensure that the special interest of the protected building is preserved.

Expiry Date: This permission will cease to have effect on 22/11/2026 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/2023/1239
Property Ref: A113910000
Valid date: 07/07/2023
Location: Sura House Candie Road St. Peter Port Guernsey GY1 1UP
Proposal: Demolish extension, erect single storey extension to south (rear) elevation, extend and alter at ground and first floor level to west (side) elevation (Protected Building).

Applicant: Mr & Mrs Alter

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. Prior to the commencement of works (excluding site and demolition works), large

scale drawings to a scale of 1:10, or 1:20 with sections at 1:5 of the new door and window to the front (north) of the house must be submitted to and agreed in writing by the Authority. The development shall thereafter be carried out only in accordance with the agreed details.

Reason - The detailing of the new door and window to the front of the house is vague and not shown at a sufficient scale and therefore further information is required to ensure that the special interest of the protected building is preserved.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a semi-detached property which is located to the south of Candie Road. The property is listed as a Protected Building.

Planning permission is sought to demolish an extension and erect a replacement single storey flat roof extension to the south (rear) elevation. Permission is also sought to extend and alter the property at ground and first floor level to the west (side) elevation.

The ground floor extension will serve as a family room/utility/ shower, with a dressing room at first floor level.

A few areas of concern were raised in relation to the new door and window to the front of the house, together with the infilling of the ground door opening to the rear of the building. Clarification was also sought in relation to the dressing room fenestration as indicated in the Statement of Significance.

In response the agent has confirmed that new door and window to the front of the house will be comprised of natural timber, with the window being fixed shut. In addition, the existing opening to the rear of the proposed kitchen is to remain unchanged, as shown on the ground floor plan. The agent has also confirmed that no window will be incorporated as part of the dressing room, notwithstanding the Statement of Significance.

Relevant History:

FULL/2022/0583	Install wall and railings, alter vehicle access and resurface driveway (Protected Building) (retrospective).	Granted
FULL/2019/0562	Alterations to fenestration on rear elevation (Retrospective) and erect retaining wall and fence south west of dwelling (Protected Building)	Granted

Existing Use(s):

Residential

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.

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 of the IDP.

Under Section 38 of The Land Planning and Development (Guernsey) Law, 2005 the Authority has a duty to pay *“special attention to the desirability of preserving and enhancing the character and appearance”* of Conservation Areas. This duty is encapsulated in Policy GP4 (Conservation Areas) which states that *“proposals for development within a Conservation Area will be supported where the development conserves and, where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area.”*

In light of the relevant policies, the proposed development is simplistic in terms of its design which complements the setting of the protected building in terms of its scale, form, mass, siting, materials and appearance. Whilst the ground floor extension will encompass the entire width of the site, the development will not affect neighbour amenity due to the high boundary walls.

Erecting a lean-to glazed roof above the existing courtyard will sensitively enclose this space whilst respecting the special interest of the protected building and the character and appearance of the Conservation Area. Increasing the parapet wall to the level shown is acceptable.

Attention is drawn to the first floor extension. Whilst the proposed flat roof extension to the rear of the property has the potential to adversely affect the amenities of neighbouring residents to the west of the application site with regards to overshadowing and overbearingness, the degree of harm is not considered to be significant to warrant refusal. This decision has been reached when taking into account varying factors such as; the orientation between the two properties, that any overshadowing will be limited to a small proportion of the day (during the early morning) the size of the extension, form of the roof, and the distance between the proposed extension and the fenestration of the neighbouring property. In addition, the adjoining semi (known as St Honorine) has also been extended and altered at first floor level, in a similar manner to the proposed development.

The featureless elevation of the proposed dressing room is an unfortunate detail as it would provide a sense of balance and symmetry when 'read' against the adjoining semi-detached property, although is acceptable under Policy.

Retaining the opening at ground floor level will help show the original floor plan of the protected building and therefore respects the special interest of the protected building.

Incorporating a timber door and window to the front of the property will respect the material palette of the protected building. It is reasonable and necessary to attach a condition to ensure that large-scale drawings of the new fenestration is agreed in writing by the Authority.

The proposed development will not adversely affect the character or appearance of the Conservation Area.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, accords with the purpose of the Law, and the requirements of the material considerations; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 23/11/23

