

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 rooflights and air conditioning units to roof, internal and fenestration alterations (Protected Building).

LOCATION: Belvedere House, Rue De Belvedere, Fort George, St. Peter Port.

APPLICANT: Alcority Limited

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: 05/10/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 21/08/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: The Drawing Room - 246 C2 B, C3 B, C4 B, C5 B, C6 B, C7 B & Air conditioning unit specification sheet (date stamped received 21/08/2023)

Application Ref: FULL/2023/1395

Property Ref: A41110C000

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 removal of the existing, large scale drawings (1:20 elevations; 1:5 sections) of all new and replacement internal and external doors shall be submitted for the written agreement of the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development and to protect the special interest of the protected building.

5.The rooflights hereby approved shall be fitted flush with the roof plane in which they are installed.

Reason - To secure the satisfactory appearance of the completed development and to protect the special interest of the protected building.

6.Prior to their installation further details to show the position and external appearance of the vents and extractors shall 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 secure the satisfactory appearance of the completed development and to protect the special interest of the protected building.

Expiry Date: This permission will cease to have effect on 04/10/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Please note the introduction of a vandex waterproofing system is a risk as regards trapping damp in the walls which would, over time, deteriorate the fabric of the protected building. On balance, The Authority has proportionately discharged its statutory duty to secure the special interest of the protected building wherever possible and it is ultimately down to the agent/specialist (and their professional indemnity insurance) to specify a system that will not result in problems with the building in 10 - 20 years.

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/2023/1395
Property Ref: A41110C000
Valid date: 21/08/2023
Location: Belvedere House Rue De Belvedere Fort George Fort George
St. Peter Port Guernsey GY1 2SJ
Proposal: Install rooflights and air conditioning units to roof, internal
and fenestration alterations (Protected Building).

Applicant: Alcority Limited

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 removal of the existing, large scale drawings (1:20 elevations; 1:5 sections) of all new and replacement internal and external doors shall be submitted for the written agreement of the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development and to protect the special interest of the protected building.

5. The rooflights hereby approved shall be fitted flush with the roof plane in which they are installed.

Reason - To secure the satisfactory appearance of the completed development and to protect the special interest of the protected building.

6. Prior to their installation further details to show the position and external appearance of the vents and extractors shall 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 secure the satisfactory appearance of the completed development and to protect the special interest of the protected building.

INFORMATIVES

Please note the introduction of a vandex waterproofing system is a risk as regards trapping damp in the walls which would, over time, deteriorate the fabric of the protected building. On balance, The Authority has proportionately discharged its statutory duty to secure the special interest of the protected building wherever possible and it is ultimately down to the agent/specialist (and their professional indemnity insurance) to specify a system that will not result in problems with the building in 10 - 20 years.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is sought to install rooflights and air conditioning units to the roof, internal alterations to the property and alterations to the fenestration.

The whole of the property is a protected building (interior and exterior) and the site is situated Outside of the Centres and within a Conservation Area as designated in the Island Development Plan.

Relevant History:

FULL/2023/1433	Excavate ground levels to create tunnel and room/hideaway at basement level to north-east (rear) of property. (Protected Building).	Pending consideration
FULL/2023/1422	Erect 2 detached outbuildings/orangeries to north-east (rear) elevation (Protected Building).	Pending consideration

Existing Use(s):**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

Consultations:

The States Office of Environmental Health and Pollution Regulation by letter dated 08th September 2023 stated the following:

“I have reviewed the proposed plans for 1 Belvedere House which were received by email on 25th August 2023 and there is an of concern that I must raise. Calculations have been made to assess the noise level from the proposed RZA-D200-250D unit and it is believed that the noise level experienced by a local property could be up to 36.6 dB. As such I would recommend the following condition:

Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the facade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014.”

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.

The application is acceptable in relation to the above policies and other material planning considerations.

Recommendation:

Grant with Conditions



Date: 05/10/2023

