

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: Internal alterations (Protected Building)

LOCATION: La Colline, Les Amballes, St. Peter Port.

APPLICANT: Mrs D Sebire & Mrs S Bradbury

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: 11/09/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/12/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: bhp: G4551/01/04C, /06C & /07A.

Application Ref: FULL/2023/2398

Property Ref: A109810000

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.Notwithstanding the plans hereby approved, no consent is conferred for the permanent removal of the ground floor doors between the hallway, dining room and living rooms, and those doors shall be reused in the replacement partitions.

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.

5.Prior to removal of the existing ground floor door between the living room and kitchen and of the first floor doors, details of the design, materials of construction and finish of all new doors, to scale of 1:20 with sections at 1:5, shall be submitted to and agreed in writing by the Authority.

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.

6.Contrary to the General Notes on drawing G4551 01 04 C, existing joists and floorboards, ground floor wall panelling, ground floor doors, architraves and ground floor cupboards shall be removed, set aside and reinstated prior to completion of the development.

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.

Expiry Date: This permission will cease to have effect on 11/09/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

In respect of Condition 6, if, following opening up works, it is found that replacement of elements of timber joinery is found to be necessary the further agreement of the Authority must be obtained prior to disposal of those elements.

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/2023/2398
Property Ref: A109810000
Valid date: 20/12/2023
Location: La Colline Les Amballes St. Peter Port Guernsey GY1 1WT
Proposal: Internal alterations (Protected Building)

Applicant: Mrs D Sebire & Mrs S Bradbury

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.

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INFORMATIVES

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OFFICER'S REPORT

Brief Description of the site:

The property known as 'La Colline' is a traditional terraced two storey townhouse situated to the west of Les Amballes. The whole of the building, including the 19th century single storey extension together with the roadside wall, railings and gate, is a protected building. The site is located within the St Peter Port Conservation Area and Main Centre Outer Area as defined in the Island Development Plan.

Relevant History:

PREA/2023/0235 – Internal alterations (Protected Building) – Closed February 2023.

FULL/2022/2010 - Reconstruct section of wall at first floor level to south-east (front) elevation (Protected Building) (Retrospective) – Approved November 2022.

FULL/2021/1579 - Erect single storey flat roof extension to west (rear) elevation, replace roof, internal alterations and erect steps and wall to rear (Protected Building) – Approved October 2021.

FULL/2020/0986 - Remove section of stone wall, construct replacement walls and create 4 additional car parking spaces (Protected Building) – Approved December 2020.

FULL/2019/1842 - Repair framework to roof (protected building) – Approved January 2021.

FULL/2018/2882 - Re-roof dwelling (Protected Building) – Approved March 2019.

Existing Use(s):

Residential use class 1: dwelling house.

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:

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

Conclusion/Brief comment:

This application is to carry out internal alterations to the protected dwelling.

Initially the scheme proposed to remove almost the entirety of the interior structure and joinery of the building, replacing partitions, wall linings, floors, etc. with new. This degree of removal of the interior fabric, which is part of the special interest of the protected building, in a single phase of development would amount cumulatively to partial demolition of the protected building.

The application was deferred because it had not been demonstrated that the building was structurally unsound or technically incapable of repair, therefore the proposals did not meet GP5. The proposed level of retention of the internal elements needed to be reduced so that the proposed development would no longer amount to partial demolition.

The current amended drawings continue to reuse a proportion of the ground floor wall linings and cross-wall partitions and suggest retention and reuse of ceiling beams, moulded joists and floorboards. The general notes also suggest retention (through reuse) of ground floor doors, ground floor architraves and the ground floor cupboard.

It is confirmed that the ground floor north fireplace and over mantle would be retained and boxed in behind the proposed wall lining and that the first floor cupboards would be removed. It remains the case that the first floor partitions, stairs, lintels and the north west door would be replaced.

The amended proposal seeks to retain the higher value parts of the building, albeit fireplaces would be concealed behind modern wall linings. Fabric and features proposed for removal are not of high value and removal, given retention of other fabric and features, can be considered a reasonable aspiration that outweighs the adverse effect on overall special interest.

Subject to resolving concerns over the vague notes and inconsistencies, which can be done by condition, the proposal can be considered to meet the requirements of Policy GP5.

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: 11/09/2024

