

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 external staircase, install spiral staircase and remove door and install window to south east (rear) elevation of building (Protected Building). (retrospective)

LOCATION: 40 Hauteville, St. Peter Port.

APPLICANT: Island Developments Ltd

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: 02/05/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/02/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd: 7467-06 B1, B2, B3

Application Ref: FULL/2024/0260

Property Ref: A407110000

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.

Expiry Date: This permission will cease to have effect on 02/05/2027 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/2024/0260
Property Ref: A407110000
Valid date: 07/02/2024
Location: 40 Hauteville St. Peter Port Guernsey GY1 1DG
Proposal: Demolish external staircase, install spiral staircase and remove door and install window to south east (rear) elevation of building (Protected Building). (retrospective)

Applicant: Island Developments Ltd

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.

OFFICER'S REPORT

Brief Description of the site:

The property known as '40 Hauteville' is a four and a half storey town house, which is attached to the southwest of the Victor Hugo House. To the southwest is the front garden of the neighbouring property. Across the road to the northwest are two more properties and to the southeast is a long garden with a small property at the end. The property is a protected building, as are most of the properties in the area. The property is located in the St Peter Port Main Centre and Conservation Area as defined in the Island Development Plan.

Relevant History:

FULL/2022/2386 – Variation to install rooflight and internal alterations (Protected Building) – Approve February 2023.

FULL/2022/1589 – Variation to extend, alter and partially rebuild rear extension including install external insulating render system and alterations to fenestration. (Protected Building) – Approved November 2022.

FULL/2022/1280 – Variation to install external insulating render system to rear elevation, replace windows to rear elevation and rebuild chimney (revised) (Protected Building) – Approved October 2022.

FULL/2022/0943 – Variation to install replacement roof structure (partially retrospective) (Protected Building) – Approved April 2022.

FULL/2021/2206 - Convert house in multiple occupation to create 5 flats (residential use class 2), replace and alter roof, external and internal alterations (Protected Building) – Approved December 2021.

Existing Use(s):

Residential use class 2: flats.

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

X
X
X
X

visual amenity acceptable
no material neighbour impact
traffic not affected

X
X
X

Policies considered most relevant:

GP4: Conservation Areas

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

Conclusion/Brief comment:

This application is to replace the existing external staircase with a stainless steel spiral staircase and replace the ground floor rear plastic uPVC door with a timber sash window to match the existing.

The application was deferred because the door has already been replaced with a window and the stairs have already been removed, the scheme is therefore retrospective.

The external staircase was straight with solid block rendered balustrades, which looked bulky and took up a lot of room in the garden, perhaps dating from the mid-20th century. Its removal was not considered to have any impacts on the special interest of the building. Replacing it with a spiral staircase is also not considered to have any detrimental impacts on the special interest of the protected building because it will not touch the fabric of the building. The proposed new staircase would not have any impacts on any neighbour amenity.

The rear first floor uPVC door did not complement the rest of the rear façade and so the decision to change it into a timber sash window has helped to restore the balance of the rear fenestration, with matching timber sash windows on all levels.

The new window will not have any impacts on the special interest of the protected building nor will it impact any neighbour amenity.

The proposals are not considered to have any impacts on the special quality of the character and appearance of the surrounding conservation area.

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: 29/04/2024

