

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 chimney and install dormer window to south elevation.
(Protected Building).

LOCATION: Delancey Park House, Rue Des Monts, St. Sampson.

APPLICANT: Quartet 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: 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 01/03/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: CCD Architects: 3179/30G, /51D, /52D, /53D, /54D, /55E & /56D.

Application Ref: FULL/2024/0405

Property Ref: B005960000

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.No development shall begin on site until details of the design, materials of construction and finish of the proposed dormer window to a scale of 1:20 with sections at 1:5, 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 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/2024/0405
Property Ref: B005960000
Valid date: 01/03/2024
Location: Delancey Park House Rue Des Monts St. Sampson Guernsey
GY2 4HT
Proposal: Demolish chimney and install dormer window to south
elevation. (Protected Building).

Applicant: Quartet 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. No development shall begin on site until details of the design, materials of

construction and finish of the proposed dormer window to a scale of 1:20 with sections at 1:5, 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.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a detached property (Delancey Park House) with large gardens situated to the west of Rue Des Monts. The property is a protected building, including the building in its entirety and the roadside wall and railings.

Surrounding the site, the area is predominantly residential with mixed building types and design.

The property is situated within the Main Centre Outer Area and a Conservation Area as designated in the Island Development Plan.

Relevant History:

FULL/2022/0463	Variation to previously approved plans to demolish conservatory and walls to the kitchen and erect a flat roof single storey extension with terrace over, install dormer windows, alteration to fenestration and internal alterations (Protected Building) - increase floor area of extension and balcony at first floor level, reconstruct existing dormer and install balcony at second floor level.	Granted 10/06/2024
FULL/2018/1134	To erect a pavilion building for use as a library (Protected Building).	Granted 13/07/2018
FULL/2017/0646	Demolish conservatory and erect flat roof single storey extension with terrace over (rear elevation), demolish chimney, install three dormers, alterations to fenestration and internal alterations (Protected Building).	Granted 28/04/2027
FULL/2015/2434	Demolish conservatory and erect flat roof single storey extension with terrace over (rear elevation), demolish chimney, install three	Granted 29/01/2016

	dormers, alterations to fenestration and internal alterations (Protected Building).	
FULL/2014/1806	Demolish existing store, alter and extend store to create changing room and install three sets of entrance gates.	Granted 23/07/2014
FULL/2014/0756	Erect single storey extension to side (north) of property (protected building).	Granted 04/04/2014
HAPP/2007/2473	Demolish lean to conservatory. Create first floor balcony and extend and alter dwelling.	Granted 20/12/2007

Existing Use(s):

Residential – Use Class 1

Assessment: *(Tick as appropriate)*

no representation

☒
☒
☒
☒

accords with policy

within curtilage

design acceptable

visual amenity acceptable

no material neighbour impact

traffic not affected

☒
☒
☒

Conclusion/Brief comment:

Planning permission is sought to demolish an existing chimney and to install a dormer window to the south elevation.

Policy GP13 of the Island Development Plan is generally supportive of proposals for domestic extensions, alterations and other such householder development where: there are no significant adverse effects on the amenities of neighbouring properties; the design, scale, mass and form would not detract from the open character of open locations; and, they do not adversely affect the special interest of a Conservation Area or Area of Biodiversity Importance or protected building or protected monument.

The proposed dormer window has been designed and the materials to be used in its construction will match an existing dormer window already in the rear elevation of the property, in-keeping with the character and appearance of the main dwelling and the surrounding area.

Given the position of the proposed dormer window and its relationship with neighbouring properties, it would not have any significant impact on the amenities afforded to occupiers with regard to sunlight, daylight or loss of privacy.

The site is within a Conservation Area and the property is protected, policies GP4 and GP5 are also relevant in the assessment of this application.

The application is supported by a Statement of Significance which states that the existing chimney has damp ingress around the junction with the main roof which is affecting the internal integrity and finish of the building. It confirms that the chimney will be removed to eaves level only (with the roof made good in materials to match the existing) with the existing chimney breast retained in all rooms below. In the position where the chimney is located, once demolished a small dormer window is proposed to match those already present on the rear elevation.

Whilst the demolition of the chimney and the installation of the dormer would have an impact on the special interest of the building this would be slight/moderate and would amount to a reasonable aspiration of the property owner. However, to ensure that it matches the existing dormer window and does not harm the special interest of the protected building it is recommended that a condition is included for large scale details of the dormer window to be provided.

Based on the above and subject to the suggested condition, the proposal would not conflict with the requirements of Policy GP5 or GP4.

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.

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 and the proposal accords with the relevant provisions of the Island Development Plan.

Recommendation:

Grant with Conditions



Date: 01/05/2024

