

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: Variation to previously approved plans to alter ground level and erect retaining wall to create basement light well to east (rear) of property. Alterations to fenestration and internal alterations, install oil tank, erect oil tank/bin enclosure and gates (Protected Building) - Alterations to landscaping scheme including hardstanding drive and parking area

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: 16/08/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 03/07/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: The Drawing Room: 246/G1E
Amy Perkins Garden Design: BEL/MO/014/AP & Belvedere - Hard Landscape

Application Ref: FULL/2024/1175

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. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 14/01/2021, issued under planning application reference FULL/2020/1253, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

Expiry Date: This permission will cease to have effect on 16/08/2027 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/2024/1175
Property Ref: A41110C000
Valid date: 03/07/2024
Location: Belvedere House Rue De Belvedere Fort George Fort George St. Peter Port Guernsey GY1 2SJ
Proposal: Variation to previously approved plans to alter ground level and erect retaining wall to create basement light well to east (rear) of property. Alterations to fenestration and internal alterations, install oil tank, erect oil tank/bin enclosure and gates (Protected Building) - Alterations to landscaping scheme including hardstanding drive and parking area
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. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 14/01/2021, issued under planning application reference FULL/2020/1253, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested for variations to works previously approved (FULL/2020/1253). The variations involve alterations to the landscaping scheme including the layout of the driveway and parking area and the siting of the bin store and oil tank.

The application site comprises a large, prominent, detached dwelling set in extensive grounds at the northern end of the Fort George estate. The whole of the building and various features around it are protected. The site is located within the St Peter Port Conservation Area, although outside of the Main Centre Outer Area boundary, and is also adjacent to a Site of Special Significance and Area of Biodiversity Importance.

Relevant History:

05/10/2023 – FULL/2023/1433 – Permission granted to excavate ground levels to create tunnel and room/hideaway at basement level to north-east (rear) of property. (Protected Building).

05/10/2023 - FULL/2023/1422 – Permission granted to erect 2 detached outbuildings/ orangeries to north-east (rear) elevation (Protected Building).

14/01/2021 – FULL/2020/1253 – Permission granted to alter ground levels and erect retaining wall to create basement light well to east (rear) of property, alteration to fenestration and internal alterations, install oil tank, erect oil tank/bin enclosure and gates (Protected Building).

08/07/2016 - FULL/2016/0845 – Permission granted for conversion of existing 3 apartments to 1 dwelling, demolish existing extensions and erect 1st floor extensions on south east and north west elevations, erect glazed conservatory at rear and install terraces at rear (north east) with garage below and create lightwells to front elevation (Revised scheme) (Protected Building).

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:

GP2 – Sites of Special Significance

GP4 – Conservation Areas

GP5 – Protected Buildings

GP7 – Archaeological Remains

GP8 – Design

GP9 – Sustainable Development

GP13 – Householder Development

Conclusion/Brief comment:

The alterations to the landscaping scheme including the layout of the driveway and parking area are relatively minor and would have no adverse effects on the special interest of the protected building. The proposed materials and detailing of hard landscaping elements reflect the character of the building and the proposal accords with Policy GP5.

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.

It is recommended that the application is approved.

Recommendation:

Grant with Conditions

✓

Date: 15/08/2024

