

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: Alter windows at ground floor level to south-east (side) and north-west (side) elevations and internal alterations (Protected Building).

LOCATION: Vestageld Villa, Victoria Road, St. Peter Port.

APPLICANT: Vestageld 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: 02/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 31/07/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture Ltd - 2323 02. 03, 02.04, 02.05, 02.06, 02.07, 02 08

Application Ref: FULL/2024/1260

Property Ref: A303790000

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 floorboards shall be reused as part of the development, unless otherwise agreed in writing by the Authority.

Reason - to preserve the special interest of the protected building.

Expiry Date: This permission will cease to have effect on 02/10/2027 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/2024/1260
Property Ref: A303790000
Valid date: 31/07/2024
Location: Vestageld Villa Victoria Road St. Peter Port Guernsey GY1 1HY
Proposal: Alter windows at ground floor level to south-east (side) and north-west (side) elevations and internal alterations (Protected Building).
Applicant: Vestageld 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 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 floorboards shall be reused as part of the development, unless otherwise agreed in writing by the Authority.

Reason - to preserve the special interest of the protected building.

OFFICER'S REPORT

Brief Description of the site:

Le Chateau is a detached 2.5 storey building of distinctive design and character located on the north-east side of Victoria Road. The whole of Le Chateau is a protected building. It is within the St Peter Port Conservation Area as designated in the Island Development Plan (IDP) Proposals Map.

The ground floor is recognised as a House in Multiple Occupation (HMO) as it is split into 5 bedsits, with two shared bathroom facilities. The first floor is comprised of a two-bedroom flat. Planning permission was granted in 2023 to change the use of the property from a HMO to create 2 flats on the ground floor, and retaining the first floor 2 bedroom flat, as well as making internal alterations to the building. The property would then serve as 3 flats. It is not clear whether the change of use has taken place.

Planning permission is sought to alter windows at ground floor level to the south-east (side) and north-west (side) elevations, and make internal alterations.

Relevant History:

FULL/2024/0465	Variations to plans previously approved for change of use of House of Multiple Occupation	Granted
FULL/2023/1285	Change of use of House of Multiple Occupation (Use Class 6) to create 3 flats (Use Class 2),	Granted
FULL/2022/1217	Convert house of multiple occupancy (Use Class 6) to 3 residential flats (Use Class 2) (Protected	Withdrawn
PREA/2021/2653	Alteration to fenestration and Internal layout to convert ground floor to create 2 flats (Protected	Pre-application
FULL/2014/3201	Erect single storey pitched roof extension (rear elevation) and install window (side elevation).	Granted
FULL/2014/1853	Erect a conservatory at rear of dwelling (Protected Building).	PPREF
PAPP/2007/3417	Extend and alter dwelling to form lodging house	PMTGCD
HAPP/2007/1152	Alter and extend dwelling to provide three flats.	HPMTGTD

Existing Use(s):

Residential use class 6 (house of multiple occupation) – ground floor.

Residential use class 1 (flat) - first floor

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:**

MC2 Housing in Main Centres and Main Centre Outer Areas

GP4 Conservation Areas

GP5 Protected Buildings

GP8 Design

GP9 Sustainable Development

Conclusion/Brief comment:

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.

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

Recommendation:

Grant with Conditions

☒

Date: 02/10/24

