

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 demolish existing and erect replacement dwelling - Alterations to fenestration to west (front) elevation.

LOCATION: La Coquere, The Strand, St. Peter Port.

APPLICANT: Pink Zebra

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: 16/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/09/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners - AA40-10402-S1-02, 06C, 07D & 08D.

Application Ref: FULL/2024/1564

Property Ref: A402250000

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 on or by 01/03/2025.

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 variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 02/03/2022, issued under planning application reference FULL/2021/1436, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

Expiry Date: This permission will cease to have effect on 16/10/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of any doubt planning permission is hereby granted for alterations to the fenestration in the west facing elevation as shown on the drawings only. No other alterations are approved.

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/2024/1564
Property Ref: A402250000
Valid date: 12/09/2024
Location: La Coquere The Strand St. Peter Port Guernsey GY1 1LJ
Proposal: Variation to previously approved plans to demolish existing and erect replacement dwelling - Alterations to fenestration to west (front) elevation.

Applicant: Pink Zebra

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 on or by 01/03/2025.

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).

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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 variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 02/03/2022, issued under planning application reference FULL/2021/1436, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

INFORMATIVES

For the avoidance of any doubt planning permission is hereby granted for alterations to the fenestration in the west facing elevation as shown on the drawings only. No other alterations are approved.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a terraced type dwelling that is currently under construction following the grant of planning permission for a replacement dwelling at the site (ref: FULL/2021/1436). The site is situated to the east of The Strand, forms part of the Hillside Town and is situated in an elevated position with views from Les Echelons and South Esplanade to the east.

Surrounding the site the area comprises residential properties of mixed building types to the north, south and west with commercial properties at a lower level to the east.

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

Relevant History:

FULL/2024/1127	Variation to previously approved plans to demolish existing and erect replacement dwelling - alteration to roof form.	Granted 31/07/2024
FULL/2021/1436	Demolish existing and erect replacement dwelling.	Granted 02/03/2022

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

✓
✓
✓

Policies considered most relevant:

GP4: Conservation Areas;
GP8: Design;
GP9: Sustainable Development;
GP13: Householder development;
IP7: Private and Communal Parking.

St Peter Port Conservation Area Appraisal (December 2021)

Conclusion/Brief comment:

The application site is situated in a prominent position within the St. Peter Port Conservation Area with a range of views from South Esplanade, Castle Pier and the coast to the east. The application site forms part of the Hillside Town of St Peter Port.

The Authority has a duty under Section 38 of The Land Planning and Development (Guernsey) Law, 2005 to pay *“special attention to the desirability of preserving and enhancing the character and appearance”* of Conservation Areas.

This duty is encapsulated in Policy GP4: Conservation Areas of the IDP which states that *“proposals for development within a Conservation Area will be supported where the development conserves and, where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area.”*

Planning permission was granted to demolish and rebuild the existing dwelling at the site on 02nd March 2022 (Application ref: FULL/2021/1436). Under the application the subject of this report planning permission is sought for a variation to the original permission to alter the fenestration to the front (west facing elevation) facing onto the Strand, of the property.

As originally approved the scheme included a symmetrical window pattern with three over three windows at both first and second floor, and two windows separated with a central door at ground floor level. The alterations now proposed will omit one of the ground floor windows (the southernmost window) and to slightly alter the position of one of the windows in each of the first and second floor levels (again the southernmost windows in the elevation).

Although the alterations are regrettable and will result in an unsymmetrical window form, due to the narrow width of The Strand and the elevated position of the properties to the rear, the alterations would not be widely seen within the surrounding area. Furthermore, there is no uniform window pattern on this elevation, with the street scene comprising various window styles, positions and form.

The alteration to the fenestration as proposed is therefore in-keeping with the unique design of the approved scheme and would not cause a detriment to the visual character or appearance of the surrounding area, or impact on the Conservation Area. The proposal would not negatively affect the amenities afforded to the occupiers of any neighbouring residential properties regarding privacy.

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.

For these reasons it is considered that the variations proposed to the original planning approval are considered to be acceptable.

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: 15/10/2024

