

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 for change of use from office to additional flat. Demolish extensions, raise roof ridge height, extend to south (side) and west (rear) elevations and alterations to fenestration - Alter roof form to extend balcony at 3rd floor level to east (front) elevation (retrospective).

LOCATION: Kingsley House, North Clifton, St. Peter Port.

APPLICANT: Kingsley Height 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: 12/02/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/11/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: 1:500 scaled block plan; Socrates Architects Ltd - 600.02.101 2, 205 2, 206 2, 301 1, 302 1, 303 1, 305 1, 306 1 - 600.04.401 1, & 402 1.

Application Ref: FULL/2024/1772

Property Ref: A201180000

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.

3.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 04/10/2021, issued under planning application reference FULL/2021/0562, 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 12/02/2028 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/2024/1772
Property Ref: A201180000
Valid date: 04/11/2024
Location: Kingsley House North Clifton St. Peter Port Guernsey GY1 1JR
Proposal: Variation to previously approved plans for change of use from office to additional flat. Demolish extensions, raise roof ridge height, extend to south (side) and west (rear) elevations and alterations to fenestration - Alter roof form to extend balcony at 3rd floor level to east (front) elevation (retrospective).

Applicant: Kingsley Height 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 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.

3. 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 04/10/2021, issued under planning application reference FULL/2021/0562, and subject to the terms and conditions thereof.

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

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a 3-storey building with basement, set back from and facing east towards the junction of North Clifton, Clifton and Berthelot Street behind a tall granite wall and decorative arched pedestrian gateway. The site adjoins residential properties to the north and south (two of which are protected buildings) and a private car park to the west.

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

Relevant History:

FULL/2024/1340	Temporary demolition and re-building of a section of east roadside wall (Retrospective).	Granted 11/09/2024
FULL/2021/0562	Change of use from office to additional flat. Demolish extensions, raise roof ridge height, extend to south (side) and west (rear) elevation and alterations to fenestration. Erect bin and bike store to east boundary and landscaping.	Granted 04/10/2021

Existing Use(s):

Office and residential flats

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:

Island Development Plan

MC2 – Housing in Main Centres and Main Centre Outer Areas

MC4(A) – Office Development in Main Centres

GP4 – Conservation Areas

GP5 – Protected Buildings

GP8 – Design

GP9 – Sustainable Development

GP13 – Householder Development

IP6 – Transport Infrastructure and Support Facilities

Conclusion/Brief comment:

The purposes of the Land Planning and Development (Guernsey) Law, 2005, are to protect and enhance, and to facilitate the sustainable development of, the physical environment of Guernsey.

The purposes of the Law are reflected in the Island Development Plan, the principal aim of which is to help maintain and create a socially inclusive, healthy and economically strong Island, while balancing these objectives with the protection and enhancement of Guernsey's built and natural environment and the need to use land wisely. Relevant policies will be addressed below in assessing the key issues.

Although not protected, the existing building is considered to make a positive contribution to the character of the Conservation Area and setting of adjacent protected buildings.

It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting Conservation Areas, to secure so far as possible that the special historic, architectural, traditional or other special characteristics are preserved. This is reflected in Policy GP4 which supports development that conserves, and where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area.

The Authority also has a duty under Section 34 of the Law to wherever possible ensure the special interest of a protected building (including its setting) is not harmed and to pay special to preserving the protected building's special characteristics. This duty is encapsulated in Policy GP5 which supports proposals to extend or alter a protected building where the development proposed does not have an adverse effect on the special interest of the particular protected building or its setting.

Planning permission was granted in 2021 to extend/alter four of the existing flats and change the use of the existing office to create a fifth flat (subject to application reference FULL/2021/0562). This permission is currently being implemented on site.

Under the proposal the subject of this report retrospective planning permission is sought to alter the roof form of the property and to extend the inset balcony at third floor level to the east (front) elevation of the building. The applicant's agent in a supporting letter confirms that the alterations were completed on site during construction to improve the buildings functionality and address specific structural requirements. No other alterations are proposed to the scheme.

The proposed alterations are in-keeping with the character of the host building and although visible from long range views would not cause harm to the character or appearance of the surrounding Conservation Area.

The alterations proposed would not affect the setting of any nearby protected buildings. The scheme complies with policies GP4, GP5 and GP8 in this respect.

The alterations proposed would be circa 15m from the nearest neighbouring building to the east (Clifton House) and at this distance would not have any significant adverse overlooking, overshadowing or overbearing impacts on this property or on the amenity of any other properties surrounding the site.

The proposal would not harm highway safety or affect car parking or bicycle parking requirements.

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: 11/02/2025

