

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: Extend height of balustrade/railings to south and east of courtyard (site of Protected Building).

LOCATION: Le Platon, Clifton, St. Peter Port.

APPLICANT: Le Platon Residential Home

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: 16/12/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/11/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block plan (dated 22/10/24), six annotated black and white photos (dated 01/11/24) and three colour photos (dated 08/11/24).

Application Ref: FULL/2024/1775

Property Ref: A302010000

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.Notwithstanding the submitted details, the balustrade extension hereby permitted shall match as closely as possible the design and material of the existing balustrade.

Reason - To secure the satisfactory appearance of the completed development.

Expiry Date: This permission will cease to have effect on 16/12/2027 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/2024/1775
Property Ref: A302010000
Valid date: 08/11/2024
Location: Le Platon Clifton St. Peter Port Guernsey GY1 2PW
Proposal: Extend height of balustrade/railings to south and east of courtyard (site of Protected Building).

Applicant: Le Platon Residential Home

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. Notwithstanding the submitted details, the balustrade extension hereby permitted shall match as closely as possible the design and material of the existing balustrade.

Reason - To secure the satisfactory appearance of the completed development.

OFFICER'S REPORT

Brief Description of the site:

Le Platon Residential Home is located in the middle of St Peter Port, with Constitution Steps to the east, Sausmarez Street to the north, the land falls away steeply down to Burnt Lane/Mill Street to the south and housing and George Street to the west. The property is located within a Main Centre and Conservation Area as defined in the Island Development Plan. The main part of the building is a Protected Building.

Relevant History:

FULL/2021/1164 – Install patio adjacent to existing with railings and wall enclosure (revised scheme) – Approved July 2024.

Existing Use(s):

Residential use class 4: specialised housing.

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:

This application is to extend the height of the existing balustrade/railings to the south and east of the courtyard, which is within the setting of a Protected Building (the main original building of the care home complex). The proposal to increase the height of the existing 1.1m balustrade to 1.8m high is to improve safety and to prevent any residents from climbing and possibly falling.

The courtyard is surrounded by the main original building to the east, the new modern entrance to the west and a new link block to the north. To the south the courtyard is open but there is a 3m plus drop to the lower ground level. Most of the south edge of the courtyard has a 1.1m metal railing balustrade and there is a staircase leading to the lower ground level. The other proposed area is around another set of stairs at the south end of the east side of the courtyard.

The reasons for wanting to increase the height of the balustrade in front of a 3m plus drop are considered appropriate and acceptable, especially as it will still allow views out over the town. The courtyard is not visible from many public vantage points and the areas from which it is visible are over 250m away, which means the balustrade would not be easily seen.

Provided the extended railings match the existing, the proposals are not considered to have any detrimental impacts on the setting of the protected building, the character and appearance of the surrounding conservation area, or on neighbour amenity.

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.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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: 12/12/2024

