

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: Variations to previously approved plans to erect two-storey extension with terraces to east elevation, etc. (Protected Building) - Reduce height of privacy screen by 400mm to south and 300mm to north boundary.

LOCATION: Hermes House, 25 Saumarez Street, St. Peter Port.

APPLICANT: Mr J Lewis-Evans & Ms D De Morgan

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: 20/03/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/01/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: CCD Architects - 3692 CP01 O, CP04 K, CP05 L,

Application Ref: FULL/2024/1974

Property Ref: A201270000

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 26/05/2025.

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 27/05/2022, issued under planning application reference FULL/2022/0192, 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 26/05/2025 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/2024/1974
Property Ref: A201270000
Valid date: 13/01/2025
Location: Hermes House 25 Saumarez Street St. Peter Port Guernsey GY1 2PU
Proposal: Variations to previously approved plans to erect two-storey extension with terraces to east elevation, etc. (Protected Building) - Reduce height of privacy screen by 400mm to south and 300mm to north boundary.
Applicant: Mr J Lewis-Evans & Ms D De Morgan

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 26/05/2025.

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 27/05/2022, issued under planning application reference FULL/2022/0192, and subject to the terms and conditions thereof.

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

INFORMATIVES

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Hermes House' is a mid-terrace late 18th century five storey dwelling. The attached dwellings are to the north and south. The properties face west directly onto Sausmarez Street and the rear gardens are to the east at a lower level. The property is located within the St Peter Port Main Centre and is within a Conservation Area as defined in the Island Development Plan. The property is a Protected Building.

Relevant History:

FULL/2024/1800 - Variations to previously approved plans to erect two-storey extension with terrace at upper ground and first floor level to east (rear) elevation, fenestration and internal alterations. (Protected Building) - Install canopy to lower ground floor level and raise dormer roof height to west (front) elevation, enlarge rooflight to east (rear) elevation, internal alterations and erect outbuilding to north boundary – Approved November 2024.

FULL/2022/0192 - Demolish extension, erect two-storey extension with terrace at upper ground and first floor level to east (rear), fenestration and internal alterations. (Protected Building) – Approved May 2022.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage

✓
✓
✓

visual amenity acceptable
no material neighbour impact
traffic not affected

✓
✓
✓

design acceptable



Policies considered most relevant:

GP4: Conservation Areas

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

This application is a variation to the previously approved FULL/2022/0192, the variations are to lower the south privacy screen for the ground floor terrace by 400mm and lower the north privacy screen by 300mm and to push the east balustrade 1m to the edge of the terrace.

Generally opaque privacy screens are put in place to protect private amenity spaces from neighbouring overlooking. However in this instance both neighbours on either side have written requesting the screens are lowered.

There is already overlooking from the second floor terrace into the neighbours gardens and both neighbours have as much overlooking into Hermes House. There is already high levels of overlooking in each direction from neighbouring properties and the screens at 1.8m high in this instance would only have had a minor effect in helping to reduce overlooking issues. Given that both of the neighbouring properties have written in regarding this application to request that the screens are lowered, the scheme as proposed in this instance is acceptable and it would not be reasonable to refuse the application.

The variations are not considered to have any detrimental impacts on the special interest of the protected building or the special quality, character or appearance of the surrounding conservation area, nor will they have any adverse effects 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: 20/03/2025