

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: Demolish gate and pillar for temporary period, to 30th November 2026 (Protected Building).

LOCATION: La Bigoterie, Berthelot Street, St. Peter Port.

APPLICANT: Mr & Mrs Green

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: 30/01/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/12/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP Architecture - 3090-SV-001

Application Ref: FULL/2024/2067

Property Ref: A300790000

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 replacement brick pillar shall be constructed by 31/12/2026 and using bricks that match the existing colour, size and pattern of laying as the pillar approved to be demolished for a temporary period.

Reason - In the interests of visual amenity and the setting of the Protected Building.

Expiry Date: This permission will cease to have effect on 31/12/2026.

ADVICE AND OTHER REMARKS:-

Protected Monument 22 encompasses the whole of the Arcade Steps from its junction with Clifton in the west to the Commercial Arcade in the east. It's special interest derives from the narrow, enclosed nature of the venelle which winds down the hillside and from stone surfacing which is present in exposed areas along its length and likely to be more comprehensively present beneath the existing top-layer of tarmac. Any stone surfacing currently exposed or the becomes exposed as a result of damage to the tarmac during the course of use of the Arcade Steps as site access must be protected.

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/2024/2067
Property Ref: A300790000
Valid date: 11/12/2024
Location: La Bigoterie Berthelot Street St. Peter Port Guernsey GY1 1JS
Proposal: Demolish gate and pillar for temporary period, to 30th November 2026 (Protected Building).

Applicant: Mr & Mrs Green

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 replacement brick pillar shall be constructed by 31/12/2026 and using bricks that match the existing colour, size and pattern of laying as the pillar approved to be demolished for a temporary period.

Reason - In the interests of visual amenity and the setting of the Protected Building.

INFORMATIVES

Protected Monument 22 encompasses the whole of the Arcade Steps from its junction with Clifton in the west to the Commercial Arcade in the east. It's special interest derives from the narrow, enclosed nature of the venelle which winds down the hillside and from stone surfacing which is present in exposed areas along its length and likely to be more comprehensively present beneath the existing top-layer of tarmac. Any stone surfacing currently exposed or the becomes exposed as a result of damage to the tarmac during the course of use of the Arcade Steps as site access must be protected.

OFFICER'S REPORT

Brief Description of the site:

La Bigoterie, Berthelot Street is a large, detached dwelling with a walled garden at a lower level to the east and Arcade Steps to the south, residential neighbours are situated to the west and north of the site. The main garden is to its south and east and is terraced with one level behind the property, a second lower terrace alongside the property and a third, lower terrace beyond that, to the east of the second.

Vehicular access is via Clifton to the west and the access leading to Arcade steps. This part of the site is bounded by 3.5m + high granite walls. A brick pillar is situated to the right hand side of the gated vehicular access.

The application relates to the removal of the brick pillar to the southern side of the access in order to provide a wider access for the duration of building works, see planning history below. The proposal sets out that the pillar will be reinstated following the completion of works which is indicated to be in November 2026, in two years' time.

The property is located in the St Peter Port Main Centre and Conservation Area as defined in the Island Development Plan. The property is also a Protected Building (including the roadside wall).

North parts of the building are the oldest, pre-dating 1759, but with the roof altered during the 1990s. The southern parts of the house is early 19th Century with a Regency canopied bay window to the east. Internal and external alterations were approved and undertaken during the 1990s.

Relevant History:

FULL/2023/0621 - Erect pavilion, alter ground levels, create external steps, petanque court and landscaping (Protected Building) – granted

FULL/2023/1519 - Remove and replant hedge to north-east boundary (Protected Building) – granted

FULL/2023/2416 - Erect two storey extension to west (side) elevation and install captains dormer and balcony at first floor level to south (rear) elevation and install air source heat pumps to north of property (Protected Building) – granted

FULL/2024/1096 - Variations to previously approved plans to erect two storey extension to west (side) elevation and install captains dormer and balcony at first floor level to south (rear) elevation (Protected Building) - Increase floor area to north, erect balcony to south elevation, install rooflight, alterations to roof form and fenestration – granted

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

x
x
x
x

visual amenity acceptable
no material neighbour impact
traffic not affected

x
x
x

Policies considered most relevant:

GP4: Conservation Areas
GP5: Protected Buildings
GP6: Protected Monuments
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:

The removal of the brick pillar for a temporary period to enable approved works to the property to be undertaken with greater ease is considered satisfactory. The works will not result in unacceptable harm to the character and appearance of the Conservation Area or the setting of the protected building. Furthermore, the works will not result in harm to the amenities of surrounding residential properties.

It is noted that the Arcade Steps are a protected monument and so care must be taken to ensure they are not compromised during use of the venelle as a works access. An informative note regarding this matter can be included on the decision notice.

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.

In view of the above it is recommended permission is granted subject to conditions.

Recommendation:

Grant with Conditions



Date: 29/01/2025