

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: Alter porch roof and install rooflight to south-east (side) elevation.
Internal works and fenestration alterations. (Protected Building).

LOCATION: Mulberry House, Candie Road, St. Peter Port.

APPLICANT: Mr & Mrs R A Sharp

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: 05/09/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/12/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: The Drawing Room: 347/D1A, /D2A, and D3A

Application Ref: FULL/2024/2090

Property Ref: A113990000

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.Prior to commencement of the works hereby approved precise details of the steps to be taken and works to be carried out to secure the safety and stability of the glasshouse to be retained shall be submitted to and agreed in writing by the Authority. Thereafter the development shall be completed in accordance with the agreed details.

Reason: To protect and safeguard the fabric of the Protected Building.

Expiry Date: This permission will cease to have effect on 04/09/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The applicant is advised that it would be preferable if the flagstone floor is retained, and any wall is arranged to sit beside rather than replace the stair structure so that it is reversible in the future, also that the 19th Century hinges are re-used if possible.

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/2024/2090
Property Ref: A113990000
Valid date: 16/12/2024
Location: Mulberry House Candie Road St. Peter Port Guernsey
Proposal: Alter porch roof and install rooflight to south-east (side) elevation. Internal works and fenestration alterations. (Protected Building).

Applicant: Mr & Mrs R A Sharp

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. Prior to commencement of the works hereby approved precise details of the steps to be taken and works to be carried out to secure the safety and stability of the glasshouse to be retained shall be submitted to and agreed in writing by the Authority. Thereafter the development shall be completed in accordance with the agreed details.

Reason: To protect and safeguard the fabric of the Protected Building.

INFORMATIVES

The applicant is advised that it would be preferable if the flagstone floor is retained, and any wall is arranged to sit beside rather than replace the stair structure so that it is reversible in the future, also that the 19th Century hinges are re-used if possible.

OFFICER'S REPORT

Brief Description of the site:

The proposal is for works to demolish the existing lean to glass roof over the porch and replace with a new flat roof and velux. Other works proposed include internal works to create a new WC under the stairs, remove the existing door to the rear (south west) elevation and replace with a window, create a new opening from the porch into the main house and internal alterations to the existing modern kitchen extension to the rear of the building.

The site is situated in Candie Road, within the St Peter Port Conservation Area. The whole of the building is on the Protected Buildings List (PB201) including the vine house at the rear (south). It dates to the mid-19th Century and is a pair with St Georges which shares the west gable.

The original application proposed the demolition of the existing vine house and erection of a single storey extension along with alterations to the land levels to create a new patio area and retaining walls within the rear garden. This aspect of the proposal has been removed from the application due to concerns in respect of the special interest of the glasshouse and the harm resulting from its demolition.

Relevant History:

N/A

Existing Use(s):

01 Residential Dwelling

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 Area
GP5- Protected Building
GP8- Design
GP9- Sustainable Development
GP13- Householder Development

Conclusion/Brief comment:

The proposed works to the porch roof are considered appropriate in terms of the impact on the special interest of the Protected Building as the roof is largely shielded from view by the front parapet wall and the existing roof has some decay to the rafters.

The existing stair has traditional hinges and detail, the hall has a flagstone floor which is good quality, both are authentic to the mid-19th Century. The back door to the courtyard is part of the recognisable through passage 'plan form' of this type of building which contributes to the special interest.

It is proposed to partially infill the door and fit a new timber window, and put a wall across underneath the stairs to house a new W/C. The owners noted that this part of the hall is redundant as the open plan lounge / dining / kitchen offer easier access to the garden.

These works would have an impact on the special interest of the house as the wall is awkward with the existing stairs, the floor material would be removed, and the 'plan form' of the building would be altered, however given that the rest of the flagstones would remain and the work would be largely reversible, on balance, the reasonable aspirations of the owners to set their house out as they wish outweighs the harm to the overall special interest of the building. The window proposed is acceptable in its material and detail.

The other proposed internal works will also have little effect on the overall special interest of the building.

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: 29/08/2025