

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: Erect 1.5 storey and link extension to east elevation, install flue to west roof slope and alterations to outbuilding to create ancillary accommodation (Protected Building).

LOCATION: The Maylands, Rue De Francais, Vale.

APPLICANT: Mrs N Chandler

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: 27/10/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/08/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DLM Architects - 1164_7, _9, _10, _11, _12, _13 & _15

Application Ref: FULL/2021/1467

Property Ref: C003850000

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.For the avoidance of doubt, this decision permits the extended outbuilding to be used as an integral part of and incidental to the principal dwelling presently known as The Maylands. It does not permit the creation of a separately occupied annex or an independent dwelling, nor for the building to be used for the purposes of a business run from the property.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use as a separately occupied annex or an independent dwelling, or for the purposes of a business run from the property, would raise different planning policy considerations.

5.No cladding shall be brought to the site until such time as a finished sample of the cladding material to be used has been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

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

6.The stone to be used in the construction of the new works hereby permitted shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone.

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

Expiry Date: This permission will cease to have effect on 26/10/2024 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/2021/1467
Property Ref: C003850000
Valid date: 18/08/2021
Location: The Maylands Rue De Francais Vale Guernsey GY3 5NW
Proposal: Erect 1.5 storey and link extension to east elevation, install flue to west roof slope and alterations to outbuilding to create ancillary accommodation (Protected Building).

Applicant: Mrs N Chandler

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.

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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. For the avoidance of doubt, this decision permits the extended outbuilding to be

used as an integral part of and incidental to the principal dwelling presently known as The Maylands. It does not permit the creation of a separately occupied annex or an independent dwelling, nor for the building to be used for the purposes of a business run from the property.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use as a separately occupied annex or an independent dwelling, or for the purposes of a business run from the property, would raise different planning policy considerations.

5. No cladding shall be brought to the site until such time as a finished sample of the cladding material to be used has been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

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

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OFFICER'S REPORT

Brief Description of the site:

The application site comprises a detached protected building located on the corner between Rue Des Francais and Rue Batee, Vale. The whole of the dwelling-house together with the roadside railings are protected. The outbuilding located to the south of the dwelling, the subject of this application, is excluded from the listing.

Planning permission is sought to extend the outbuilding to the east in order to create habitable accommodation in the form of a lounge, toilet, games room, study/guest accommodation and a sunken terrace.

It is noted in the design statement that the rationale for the proposal is to provide a multi-use space, to include an area for self-isolation, whilst enabling recreational use by family members and/or guests, as well as a providing a home office. Additional information was sought in order to gain further assurances that the use of the outbuilding will be for ancillary and incidental purposes only.

The extension takes the form of a pitched roof, powder coated metal clad building with a glazed link in attempt to limit its effect on the traditional outbuilding, whilst juxtaposing by virtue of its contemporary design.

It is noted that the roof of the outbuilding, together with the internal fabric of the outbuilding, including the doors and windows are in need of replacement, whilst the exterior shell will remain in situ, apart from two sections being removed to form the link between the outbuilding and the extension.

Relevant History:

None pertinent to this application.

Existing Use(s):

Residential

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:

GP5 Protected Buildings
GP8 Design
GP9 Sustainable development
GP13 Householder Development

Conclusion/Brief comment:

It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting protected buildings, to secure so far as possible that the special historic, architectural, traditional or other special characteristics (including setting) are preserved. This duty is reflected in Policy GP5 of the IDP.

In this case, due to the siting of the outbuilding in relation to the main house, together with the design of the extension, the proposed works are not considered to adversely affect the setting of the protected building.

The idiosyncratic fluctuation between the traditional character of the outbuilding, juxtaposed against the traditional form, yet modern style of extension through the

use of materials, textures and colours, is likely to result in high level of design that is respectful to its setting and wider surroundings.

Despite the proposal being visible in public views along Rue Battee, the visual impact of the development by virtue of its scale, mass, form and recessed position, is unlikely to cause undue harm. In addition, the striking difference in architectural styles is also unlikely to be easily 'read' together in the surrounding area due to the orientation and position of the extension relative to the outbuilding, together with mature landscaping along the south boundary.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 19/10/21