

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 lean-to extension to east (side) elevation. Install dormer window and rooflights to north (rear) elevation. Internal alterations and replacement windows and doors (partially retrospective) (Protected Building).

LOCATION: Le Gardinet, Ruelle De Fries, Castel.

APPLICANT: Mr & Mrs J Regnard

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: 30/09/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/08/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton 2019/03.13, 14, 15, 16, 17, 18 & 19; 2019 06. 01, 02, 03, 04, 05, 06, 07, 08, 09 & 10.

Application Ref: FULL/2021/1569

Property Ref: D012770000

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.

Expiry Date: This permission will cease to have effect on 29/09/2024 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The Authority does not recognise all of the land outlined on the submitted site block plan as forming the domestic curtilage associated with the dwelling presently known as Le Gardinet. The land recognised as domestic curtilage by the Authority is identified in red on the site location plan on drawing number 2019/03.13.

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/2021/1569
Property Ref: D012770000
Valid date: 09/08/2021
Location: Le Gardinet Ruelle De Fries Castel Guernsey GY5 7PW
Proposal: Demolish lean-to extension to east (side) elevation. Install dormer window and rooflights to north (rear) elevation. Internal alterations and replacement windows and doors (partially retrospective) (Protected Building).
Applicant: Mr & Mrs J Regnard

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.

INFORMATIVES

The Authority does not recognise all of the land outlined on the submitted site block plan as forming the domestic curtilage associated with the dwelling presently known as Le Gardinet. The land recognised as domestic curtilage by the Authority is identified in red on the site location plan on drawing number 2019/03.13.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested to demolish lean-to extension to east (side) elevation, install catslide dormer window and 4 conservation rooflights to north (rear) elevation, install replacement timber windows and doors and internal alterations to convert the attic to habitable accommodation. The works are partly retrospective.

The site consists of a traditional farmhouse, outbuildings of varying age and an area of agricultural land under the same ownership to the north-east and east. The whole of the house and the barn to the south is a protected building. The 20th century elements involving the east timber lean-to, north kitchen and conservatory, lean-to to the south barn and sheds to the north and north-east are not protected.

The site is located Outside of the Centres, the agricultural land to the north-east of the dwelling is within an Agriculture Priority Area.

Relevant History:

04/05/2021 – FULL/2020/1571 – Permission granted to re-roof dwelling and demolish chimney - (Retrospective) (Protected Building).

04/05/2021 - FULL/2020/1528 – Permission granted to demolish lean-to extension and erect single storey extension to east elevation, replace roof, alterations to fenestration and internal alterations to outbuilding to create dower unit (Retrospective) (Protected Building).

04/05/2021 - FULL/2020/0688 – Permission granted to install private sand school and erect fencing and gates (Retrospective).

05/06/2020 - FULL/2020/0252 – Permission granted to erect canopy on existing stable and outbuilding (retrospective) and erect 2 stable blocks.

14/11/2019 – FULL/2019/1823 – Permission granted to demolish and rebuild chimneys, reconstruct section of wall on south and east elevations, remove roof, remove fascias and gutters and internal alterations (Protected Building).

25/07/2019 - FULL/2019/0237 – Application refused to demolish single storey extensions to north and east elevations. Erect two storey extension to north elevation. Rebuild section of east gable and chimneys, install rooflights to south roofslope, alterations to fenestration and internal alterations. Infill one roadside access and install gates to remaining vehicular accesses (protected building) (partially retrospective).

25/07/2019 - FULL/2019/0537 – Application refused to extend and convert outbuilding to form a dower unit/ancillary accommodation including demolish and rebuild lean-to extension, replace roof, replace fenestration and internal alterations (partially retrospective), (revised), (Protected Building).

21/02/2019 – FULL/2018/2842 – Application refused to extend and convert outbuilding to form a dower unit/ancillary accommodation including demolish and rebuild lean-to extension, replace roof, replace fenestration and internal alterations (Protected Building)

Existing Use(s):

Residential use class 1: dwelling house
Agricultural use class 28

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

Policy GP5: Protected Buildings
Policy GP8: Design
Policy GP9: Sustainable Development
Policy GP13: Householder Development

Conclusion/Brief comment:

The proposed extent of the works is limited in comparison to previous schemes and in effect amounts to the renovation of the building as it is so that it is liveable. Due to the limited scope of the proposed alterations the effect on the remaining special interest of the building is limited. There is a new stairs, new rear dormer window and rooflights, the walls are lined in places and the floors are reconstructed with notes that indicate some of the existing structure is going to be re-used and retained. There is an extensive window schedule which demonstrates that some of the windows are beyond repair and it clearly notes that some can be re-used.

Overall the proposal is restrained, well researched and designed and the documents show clearly that the effect on the remaining special interest of the building will be minimal. The proposal accords with Policy GP5.

Information has been submitted to demonstrate that the design has taken into account the use of energy and resources, in accordance with Policy GP9.

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.

It is recommended that the application is approved.

Recommendation:

Grant with Conditions



Date: 30/09/2021

