

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: Replace roof and install roof lights, alterations to fenestration and erect wall to create oil tank/bin store enclosure to west elevation and create additional accommodation to existing dower unit.

LOCATION: Pleinmont House, Rue Du Croler, Torteval.

APPLICANT: Mr & Mrs S Hilley

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: 28/04/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/11/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Torode Architects - 6202-11A & 12.

Application Ref: FULL/2021/2307

Property Ref: G004710000

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 additional accommodation to be used as an integral part of and incidental to the principal dwelling presently known as Pleinmont House. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

Reason - To define the permission for the avoidance of any doubt and to prevent the creation of a separate independent dwelling.

5.The stone to be used in the construction of the oil tank enclosure and the partial blocking up of the door in the west elevation shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone walls.

Reason - To ensure the appearance of the completed development matches the existing in the interests of visual amenity.

6.No permission is sought nor conferred for any alterations to the cobbled gutter on the eastern side of La Rue des Valniquets.

Reason - To define the permission for the avoidance of any doubt and to preserve the protected monument.

Expiry Date: This permission will cease to have effect on 27/04/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The existing building may be used by bats or other wildlife for roosting and nesting. Measures may therefore need to be taken (including a preliminary survey, consideration of the timing of the works and provision to support wildlife in the long term incorporated into the development) to ensure that any protected species present are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a survey. La Société can be contacted on 07781 166924 or email info@societe.org.gg.

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the dwelling presently known as Pleinmont House.

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/2021/2307
Property Ref: G004710000
Valid date: 18/11/2021
Location: Pleinmont House Rue Du Crolier Torteval Guernsey GY8 OPX
Proposal: Replace roof and install roof lights, alterations to fenestration and erect wall to create oil tank/bin store enclosure to west elevation and create additional accommodation to existing dower unit.

Applicant: Mr & Mrs S Hilley

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. For the avoidance of doubt, this decision permits the additional accommodation to be used as an integral part of and incidental to the principal dwelling presently known as Pleinmont House. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

Reason - To define the permission for the avoidance of any doubt and to prevent the creation of a separate independent dwelling.

5. The stone to be used in the construction of the oil tank enclosure and the partial blocking up of the door in the west elevation shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone walls.

Reason - To ensure the appearance of the completed development matches the existing in the interests of visual amenity.

6. No permission is sought nor conferred for any alterations to the cobbled gutter on the eastern side of La Rue des Valniquets.

Reason - To define the permission for the avoidance of any doubt and to preserve the protected monument.

INFORMATIVES

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The existing building may be used by bats or other wildlife for roosting and nesting. Measures may therefore need to be taken (including a preliminary survey, consideration of the timing of the works and provision to support wildlife in the long term incorporated into the development) to ensure that any protected species present are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a survey. La Société can be contacted on 07781 166924 or email info@societe.org.gg.

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the dwelling presently known as Pleinmont House.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested to alter and convert a section of a domestic outbuilding to create additional accommodation to an existing dower unit including

install a replacement roof with rooflights to the front (north) and rear (south) elevations, alterations to fenestration and increase height of walls to create an oil tank/bin store enclosure to the west elevation.

The application site consists of a double pile granite farmhouse and detached barn arranged in an L-shape in the north-west corner with associated domestic land and outbuildings. The remainder of the site is recognised as agricultural land. The site is situated Outside of the Centres and within an Agriculture Priority Area. The whole of the cobbled gutter on the eastern side of La Rue des Valniquets is a protected monument.

Relevant History:

FULL/2021/1875 – Application pending for the change of use of agricultural land to domestic garden (3,295sqm). Erect proposed outbuilding, bin enclosure to west elevation of dower unit, erect sheds and summerhouse, install swim spa and regrade land and erect external steps.

04/02/2016 – FULL/2015/3029 – Permission granted to erect an orangery to rear (east) and erect a store.

10/04/2013 – FULL/2013/0060 – Permission granted to demolish lobby and erect new sunroom and raised terrace (rear east elevation), install swimming pool, convert existing hayloft to habitable accommodation and alter dwelling. Lay paving, refurbish garage and erect lean-to timber clad store.

29/03/2005 – PAPP/2005/0920 – Permission granted for conversion of barn to habitable accommodation.

Existing Use(s):

Residential use class 1: dwelling house

Representation:

One letter of representation was received on behalf of La Société Guernesiaise which highlights that older buildings of this type can be used by roosting bats particularly when located within a variable landscape with habitats such as large gardens, farmland or woodland nearby. La Société Guernesiaise recommend that the building is inspected for current or recent use by bats and other wildlife by a suitably qualified person prior to any demolition or buildings works to reduce the risk of disturbing or destroying animals which are protected under the Animal Welfare Ordinance 2012. It is advised that it would also be beneficial to include suitable measures to support roosting bats and nesting birds within the development proposal. La Société Guernesiaise recommend that an informative note to highlight the above is included in the decision notice.

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:

Policy GP6: Protected Monuments
Policy GP8: Design
Policy GP9: Sustainable Development
Policy GP13: Householder Development

Conclusion/Brief comment:

Planning permission was granted to convert a former barn into habitable accommodation in 2005 (PAPP/2005/0920). This previous application referred to the northern section of the barn, which has been implemented, and it included the ground floor section of the barn the subject of this current application, with this section of works not having been implemented.

This current application would in effect extend an existing detached domestic building which is already in use as habitable accommodation ancillary to the main dwelling Pleinmont House. The size and layout of the existing building provides a substantial amount of domestic accommodation and the proposed extension, using existing attached barns, would not in itself materially change the nature of the use of the building from ancillary domestic accommodation. The agent has confirmed that the building will be occupied by a relative of the owners of the main dwelling and that there is no intention of subdividing or sub-letting the lower unit. The additional accommodation is well-related to the existing dwelling and the proposal accords with Policy GP13.

The exterior alterations to the barn would respect the design and materials of the existing. No works are proposed to the cobbled gutter on the eastern side of La Rue des Valniquets. The proposal achieves a good standard of design and would have no adverse effects on the character and visual amenity of the area, in accordance with Policy GP8.

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

To address the comments raised on behalf of La Société Guernesiaise, it is recommended that a note is attached to the decision notice to make the applicant aware of the potential issues with disturbing animals which are protected under the Animal Welfare Ordinance 2012.

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: 28/04/2022