

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 extension and outbuilding, demolish and rebuild chimneys. Erect extension and rooflight to south (rear) elevation, raise lean-to roof and install rooflight to east (side) elevation, install rooflight to north (front) and west (side) elevation and internal alterations, create new vehicle access and parking area to east boundary and block up existing vehicle access to north boundary (Protected Building).

LOCATION: Albecq Farm, Retot Lane, Castel.

APPLICANT: Mr P Crowson

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: 01/07/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/12/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A 7487-01- B1A, B2A, B3, B4, & B5A

Application Ref: FULL/2021/2647

Property Ref: D010930000

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.Within 2 months of the hereby approved vehicle access being brought into first use, the ends of the new opening shall be made good and the existing vehicle access to the north-west of the property shall be blocked up in materials to match as closely as possible to the existing boundary wall in accordance with the details submitted.

Reason - In the interests of highway safety and visual amenity.

Expiry Date: This permission will cease to have effect on 30/06/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, should the opening(s) between the existing barn and the approved extension be widened, or require an additional opening to be formed, then this would require a separate application given that this wall would remain part of the Protected Building.

Your attention is drawn to the Animal Welfare (Guernsey) Ordinance 2012 and the local Strategy for Nature, and the need to comply with their provisions. The existing buildings 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 protected species 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.

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/2021/2647
Property Ref: D010930000
Valid date: 08/12/2021
Location: Albecq Farm Retot Lane Castel Guernsey GY5 7EG
Proposal: Demolish extension and outbuilding, demolish and rebuild chimneys. Erect extension and rooflight to south (rear) elevation, raise lean-to roof and install rooflight to east (side) elevation, install rooflight to north (front) and west (side) elevation and internal alterations, create new vehicle access and parking area to east boundary and block up existing vehicle access to north boundary (Protected Building).

Applicant: Mr P Crowson

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. Within 2 months of the hereby approved vehicle access being brought into first use, the ends of the new opening shall be made good and the existing vehicle access to the north-west of the property shall be blocked up in materials to match as closely as possible to the existing boundary wall in accordance with the details submitted.

Reason - In the interests of highway safety and visual amenity.

INFORMATIVES

For the avoidance of doubt, should the opening(s) between the existing barn and the approved extension be widened, or require an additional opening to be formed, then this would require a separate application given that this wall would remain part of the Protected Building.

Your attention is drawn to the Animal Welfare (Guernsey) Ordinance 2012 and the local Strategy for Nature, and the need to comply with their provisions. The existing buildings 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 protected species 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.

OFFICER'S REPORT

Site Description:

The property known as 'Albecq Farm' comprises a 15th century farmhouse with 19th century barns attached at either end of the building. The property is a Protected Building.

The dwelling faces onto Retot lane, with the road winding around the east gable of the property. A redundant glasshouse lies on agricultural land to the south-west of the site.

The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2022/0573	Install replacement windows and doors. (Protected Building).	Pending
FULL/2021/2454	Demolish and rebuild chimneys, replace roof covering, install parapet and remove section of render. (Protected Building).	Granted

Existing Use(s):

Residential

Brief Description of Development:

Planning permission is sought to demolish an extension, outbuilding (pigsties) and to demolish and rebuild chimneys. The application also includes erecting a single storey flat roof extension and rooflight to south (rear) elevation, raise a lean-to roof and install rooflight to east (side) elevation, install rooflight to north (front) and west (side) elevation and make internal alterations. It is also proposed to create a new vehicle access and parking area to east of the building.

Concerns were raised with regards to the extension of the patio area onto agricultural land, and the restricted sightlines from the proposed access.

In response, the agent has reduced the extent of the patio to ensure that it remains inside of the domestic curtilage and has repositioned the proposed access further away from the property in attempt to overcome the concerns raised. It is also proposed to block up the existing vehicle access to the north boundary.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Representations:

The Authority has received one representation from one parties objecting to the proposal. Grounds for objection principally relate to the following issues:-

- The pig sties are of conservation value and should at the very least be relocated.

Comments:

La Société Guernesiaise:

“In respect of this application, we would like to highlight that buildings and outbuildings of this type can be used by roosting bats. This likelihood can increase when the property is located within a variable landscape with habitats such as large gardens, farmland or woodland nearby.

We would recommend that the buildings be fully inspected for current or recent use by bats or other wildlife by a suitably qualified person prior to any demolition or building works. This would reduce the risk of disturbing or destroying animals which are protected under the Animal Welfare Ordinance 2012. It would also be beneficial to include suitable measures to support roosting bats and nesting birds within the development proposal.

We would request that, if this application is approved, an informative note be added to the Information Sheet as follows -

‘Your attention is drawn to the Animal Welfare (Guernsey) Ordinance 2012 and the local Strategy for Nature, and the need to comply with their provisions. The existing buildings 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 protected species 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’

Traffic and Highway Services –original scheme:

“I can comment as follows;

I carried out a site visit to confirm the carriageway geometries and to determine the road safety implications of an access being created to the eastern side of the dwelling,

In line with my initial concerns when we discussed the site, I can confirm that THS would object to the application on the basis of the road safety implications that would exist should permission be given.

Due to the width of the carriageway not being wide enough to accommodate two vehicles passing at the point where the access would be, both the oncoming (from the south) and approaching (from the northwest) sightlines of vehicles have been considered. In particular, the sightline of the approaching vehicles gives significant concern due to the proximity of the proposed access to the corner. The driver egressing if egressing square to the carriageway, is reliant on looking over his left-shoulder and behind him to obtain a view of approaching vehicles. From observation, the 85th percentile speed of vehicles past the property and through the bend is in the

region of 18-20mph. Therefore, due to the carriageway width, an approaching driver would be required to come to a complete standstill, as opposed to simply slow-down if a driver was to enter the carriageway at this point. The approach sightline is in the order of 15m when measured in accordance with the engineering guidelines.

The approaching sightline is bounded by the Northeast corner of the building, so there is no realistic opportunity to improve this sightline. Fundamentally, a driver egressing an access (per this application) will be presenting a road safety risk to an approaching driver who would be navigating the bend with a vehicle entering the carriageway at the exit to the bend. The existing planting (bush) at the eastern end of the property also obstructs the sightline – it is appreciated that this can be removed, but even without the foliage in the visibility splay of an egressing driver, it's a sub-standard sightline to a proposed access which causes concerns.

I also note (and can't recall if this was shown on the plans or referred to) that the levels within the site where the access would be are approximately 450mm below the height of the carriageway. If this site geometry was maintained and the application proceeded, my assumption is that drivers egressing the access would be driving up a ramp to egress onto the carriageway, in this scenario, the substandard sightline and visibility splay are reduced further. The expectation being that the sightline datum at 2m from the edge of the carriageway would be measured 900mm above the ground and measured to a point 900mm on the carriageway. In order to address this, THS considers that the ground level within the site would need to be raised substantially, in order that a vehicle egressing was level with the carriageway when egressing. I should point out, that this consideration is not on the basis that if the site within the proposed access was level in the carriageway, that the access then becomes safe, it does not – the current geometry essentially makes a bad situation worse.

Happy to discuss further, should you require anything more."

Traffic and Highway Services – revised scheme:

"Thank you for sight of the amended plans in respect of Albecq Farm.

I can confirm that based on the plan supplied, that the positioning and design of the access mitigates the road safety concerns which I previously highlighted. On this basis, I would raise no objections to the design from either a road safety or traffic management perspective."

Summary of Issues:

- The impact of the development on the special interest of the protected building.
- The impact of the development on the character and appearance of the area.
- The impact of the development on neighbour amenity.

- Whether the proposed vehicle access point is acceptable and would not negatively impact on highway safety or traffic management.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

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.

The proposal is likely to result in some harm to the special interest of the protected building given that the proposed extension covers part of the rear fenestration of the building, and includes the demolition of the pig sties and raising of the lean-to roof. The degree of harm to the special interest of the building is however considered to be limited when factoring in the reasonable aspirations of the property owners (Policy GP5), the justification for the proposed works as set out in the Statement of Significance, and when consideration is afforded to the site on a holistic basis. The proposal presents benefits to the building which must be weighed against the impact on the special interest of the building. These benefits include the continued use of the building which will help to preserve the overall building and therefore is less likely to fall into further disrepair, together with the removal of a 20th Century lean-to and the restoration of the tourelle which is of particular importance.

It was suggested to the agent to relocate the proposed extension westwards in order to retain the pig sties and to affect an area of the building that is less sensitive to change. The agent however has decided not to amend the design and request the extension be considered as submitted. Given that the pig sties are not included in the listing of the protected building, the level of harm would not be sufficient to warrant refusal.

All other alterations to the dwelling are supported under policy.

In conclusion, the overall impact on the special interest of the protected building is outweighed sufficiently by the benefits and the reasonable aspirations of the property owners to accord with Policy GP5. However, it is important to note through an informative that a separate application would be needed should the homeowner decide to widen or include an additional opening between the existing barn and the proposed extension given that the wall would remain part of the exterior of the protected building.

With regards to the design of the proposal, the east elevation of the proposed extension comprises a large granite wall which helps to 'soften' the appearance of the extension when 'read' against the traditional farmhouse. The palette of traditional materials chosen provides cohesion to the scheme, and is considered to achieve a 'high' standard of design for the purposes of Policy GP8.

Consequently, the proposed extension will have a limited impact on visual amenity and the character of the area when viewed against the farmhouse and provides a contrasting 'old and new' approach which is made apparent by the fenestration proposed.

The proposed development will not have a detrimental effect on the amenities of neighbouring residents.

The relocation of the proposed vehicle access towards the south of the site will ensure that sightlines are improved compared to the existing vehicular access and the access as originally proposed as part of this application. It is therefore considered that this aspect of the proposal will be an improvement to highway safety and traffic management. Traffic and Highway Services raise no objections to the revised scheme from a highway safety or traffic management perspective.

It is however reasonable as part of this application to require by condition that the existing access is blocked up to ensure the dwelling is only served by one access point in the interest of highway safety and visual amenity.

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.

Date: 22/06/22

