

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: Install two replacement rooflights to north (front) and three replacement rooflights to south (rear) roofslope (protected building).

LOCATION: Les Mielles, Les Mielles Road, Vale.

APPLICANT: Mr R Spinney

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: 21/03/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 27/01/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: North and south elevations (date stamped received 12/01/2022)

Application Ref: FULL/2022/0122

Property Ref: C016360000

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.New rooflights hereby approved must be fitted flush with the roof plane in which they are positioned.

Reason - To protect the overall special interest and setting of the Protected Building.

Expiry Date: This permission will cease to have effect on 20/03/2025 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/2022/0122
Property Ref: C016360000
Valid date: 27/01/2022
Location: Les Mielles Les Mielles Road Vale Guernsey GY3 5AZ
Proposal: Install two replacement rooflights to north (front) and three replacement rooflights to south (rear) roofslope (protected building).

Applicant: Mr R Spinney

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. New rooflights hereby approved must be fitted flush with the roof plane in which they are positioned.

Reason - To protect the overall special interest and setting of the Protected Building.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Les Mielles' is an 18th century two and a half storey detached dwelling which is set back from and faces north onto Les Mielles Road. There are neighbouring properties to the east and west and across the road to the north is a site of special significance, L'Ancrese Common. To the south beyond the garden is Le Petit Axce. The property is located Outside of the Centres but is within a Conservation Area as defined in the Island Development Plan. The property is a Protected Building.

Relevant History:

FULL/2021/2161 - Erect single storey garden room to south (rear) elevation.
(Protected Building) – Approved November 2021.

FULL/2021/0347 - Replace dormer window and barge boards and re-roof and repair and replace porch window and doors to north (front) and south (rear) elevation
(Protected Building) – Approved March 2021.

Existing Use(s):

Residential use class 1: dwelling house.

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 Areas

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:

This application was originally to re-roof the pitched roof of the main dwelling and to install replacement roof lights to the north front roof slope and south rear roof slope of the main dwelling.

Initially there were concerns about replacing the existing high quality purple slate with new albeit matching slate. Without understanding the reason for the re-roofing the proposals would have a major impact, and effect the overall special interest of the protected building.

The application was deferred, and the applicant carried further investigation and found that the roof leaks were due to problems with the existing roof lights, therefore the re-roofing element of the proposals have been omitted and the application is now only for replacement rooflights.

The replacement rooflights are Velux conservation range 550 x 980mm. Two to the front roof slope and three to the rear.

Replacing ill-fitting roof lights is considered to be a reasonable aspiration of the homeowner and would not detrimentally affect the special interest of the protected building and the proposal now complies with policy GP5. The proposals are not considered to impact on neighbour amenity, nor will they have any detrimental impact on the character and appearance of the surrounding conservation area.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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.

Recommendation:

Grant with Conditions



Date: 21/03/2022

