

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND SECTION 19 OF THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

PROPOSALS: Install replacement windows and doors. (Protected Building).

LOCATION: Albecq Farm, Retot Lane, Castel.

APPLICANT: Mr P Crowson

I refer to the application referred to below received as valid on 01/04/2022 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 10/02/2023

Drawing Nos: PF+A Ltd: 7487-04/B1, /B2B, /B3B & /B5A. 7487-01/D20A, /D21 & /D22A.

Application Ref: FULL/2022/0573

Property Ref: D010930000

The Development & Planning Authority has decided to refuse your application under the provisions of section 16 of the Land Planning and Development (Guernsey) Law, 2005 for the following reasons:-

1. The development if approved would have a significant detrimental effect on the overall special interest of the protected building by virtue of the removal of doors referenced ED1, ED2, ED3, ED6, ED9 and ED10 on the drawings submitted. The proposal would be contrary to Policy GP5 (Protected Buildings) of the Island Development Plan and to the advice set out in Guidance Note CN11 - Windows and Doors in Protected Buildings.

OTHER REMARKS:-

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, against a decision to refuse an application for planning permission or outline planning

permission to the Planning Tribunal on the merits. 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.

Copy of representations made

In reaching this decision the Development & Planning 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 to the Authority under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2022/0573
Property Ref: D010930000
Valid date: 01/04/2022
Location: Albecq Farm Retot Lane Castel Guernsey GY5 7EG
Proposal: Install replacement windows and doors. (Protected Building).
Applicant: Mr P Crowson

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The development if approved would have a significant detrimental effect on the overall special interest of the protected building by virtue of the removal of doors referenced ED1, ED2, ED3, ED6, ED9 and ED10 on the drawings submitted. The proposal would be contrary to Policy GP5 (Protected Buildings) of the Island Development Plan and to the advice set out in Guidance Note CN11 - Windows and Doors in Protected Buildings.

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/2022/2060	Demolish pig sties, erect 1.5 storey extension and erect wall and gate to south (rear) elevation (Protected Building).	Withdrawn
FULL/2021/2647	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	Granted

	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).	
FULL/2021/2454	Demolish and rebuild chimneys, replace roof covering, install parapet and remove section of render. (Protected Building).	Granted

Existing Use(s):

Residential – dwelling-house

Agriculture - land to the south-west of the application site

Brief Description of Development:

Planning permission is sought to install replacement windows and doors.

The application was deferred as concerns were raised over the replacement of windows and doors.

The agent has provided further information in respect of the condition of the existing windows and doors, to seek to justify their removal and therefore overcome the concerns raised.

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

GP5 Protected Buildings

GP8 Design

GP9 Sustainable development

GP13 Householder Development

Conservation Advice Note 11 (CN11) – Windows and Doors in Protected Buildings

Representations:

None.

Consultations:

None.

Summary of Issues:

- Whether the replacement windows and doors would have a detrimental effect on the fabric of the protected building.

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).**

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.

The policy relevant to the assessment of the application in relation to the protected building is Policy GP5 (Protected Buildings). Conservation Advice Note 11 (CN11) – 'Windows and Doors in Protected Buildings' is also relevant to the assessment. Policy GP8 (Design) requires development to achieve a 'high' standard of design where it directly affects a protected building, or its setting.

Policy GP5 (protected buildings) states that proposals to extend or alter a protected building will be supported where the development does not have an adverse effect on the special interest of the particular protected building or its setting. Furthermore, 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.

Notwithstanding the additional information submitted, concerns still remain over the replacement of doors referenced ED1, ED2, ED3, ED6, ED9 and ED10. It is considered that these doors are in 'good/fair' condition and positively contribute to the special interest of the protected building. Consequently, their replacement would not preserve the character of the building and would not achieve a 'high' standard of design for the purpose of Policy GP8.

The existing doors should be retained in light of the Policy and advice set out in Guidance Note CN11 - Windows and Doors in Protected Buildings.

On this basis, this aspect of the proposal would not comply with Policy GP5 and therefore it is recommended that the application be refused.

Other windows and doors:

It is agreed that the repair and upgrade of the windows and doors referenced 1, 2, 7, 8, 10, 12, 13, 16, 17 and 18 would fall under Class 3 of the Land Planning and Development (Exemptions) Ordinance, 2007 and therefore would not require planning permission.

The replacement of windows 14 and 15 on a like-for-like basis could be supported under Policy GP5, subject to a detailed survey and large-scale details. This would require the submission of a separate planning application.

Regarding W20, this is a timber side hung door panel in the barn to the east of the main house serving what will be a bedroom on the 1st floor. This door is 'positive' and in fair condition so when reviewed under CN11 should be retained; however Policy GP5 allows for some change to accommodate reasonable changes to the use etc. Notwithstanding this, before there can be agreement to removal of this door there would need to be investigation as to whether there is any opportunity to provide the light and ventilation required to this room in a way that will harm the overall special interest less – e.g. by installing a rooflight in the rear slope of the roof.

Conclusion:

Due to the significant concerns raised in relation to doors ED1, ED2, ED3, ED6, ED9 and ED10, overall the proposal would therefore be contrary to Policy GP5 (Protected Buildings) of the Island Development Plan and to the advice within Guidance Note CN11 - Windows and Doors in Protected Buildings. For the reasons set out above, it is recommended that planning permission is refused.

Date: 08/02/2023

