

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 replacement roof covering, install rooflights to north elevation, erect covered porch to east elevation, fenestration and internal alterations to create dower unit to Barn A (Protected Building).

LOCATION: Les Caches, Rue des Caches, St. Pierre Du Bois.

APPLICANT: Mrs A Willment

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: 11/01/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 21/04/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Direct Architectural Solutions Ltd: 1427-WD-10, 11A, 12, 13, 14A, 15, 16A, 17 & 18B.

Application Ref: FULL/2022/0631

Property Ref: F012710000

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.Prior to the removal of the existing windows and doors, details of the design, materials of construction and finish of all new windows and doors, to scale of 1:20 with sections at 1:5, have been submitted to and agreed in writing by the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development and the special interest of the protected building.

5.Notwithstanding the notations on Drawing Nos 1427-WD-14/A or 18/B, prior to the removal of any lintels, details of the condition of any lintels to be removed and justification for that removal, together with details of the proposed replacement lintels shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the works do not have any adverse impact on the special interest of the protected building.

6.Notwithstanding the notations on Drawing Nos 1427-WD-11/A, 14/A, 16/A or 18/B, prior to any works to the floors, other than investigatory works, full details of the extent of works required to those floors and the associated structure, shall be submitted to and agreed in writing by the Authority. All works shall be undertaken in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the works do

not have any adverse impact on the special interest of the protected building.

7. Notwithstanding the notations on Drawing Nos 1427-WD-14/A, 16/A or 18/B, prior to any works to the roof, other than investigatory works, full details of the extent of works required to the roof covering and associated structure, shall be submitted to and agreed in writing by the Authority. All works shall be undertaken in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the works do not have any adverse impact on the special interest of the protected building.

8. Prior to installation, specifications of the proposed rainwater goods shall be submitted for the written agreement of the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the works do not have any adverse impact on the special interest of the protected building.

9. Prior to installation, specifications of any proposed vents and extractors to be installed shall be submitted for the written agreement of the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the works do not have any adverse impact on the special interest of the protected building.

10. Prior to installation, details of the positioning and specification of the proposed dehumidification system shall be submitted for the written agreement of the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the proposal does not have any adverse impact on the special interest of the protected building.

11. No A-frames or purlins shall be cut or removed to accommodate the rooflights hereby approved and the rooflights shall be fitted flush with the roof in which they are installed.

Reason - To prevent adverse impacts on the special interest of the protected building.

12. The fascia to the porch hereby approved shall be constructed in timber.

Reason - To secure the satisfactory appearance of the completed development and to maintain the special interest of the protected building.

13. Notwithstanding the notes on the approved drawings, this permission confers no consent for the replacement of the ground and first floor windows in the south elevation of the building, serving the cider press and hall.

Reason - To clarify the permission for the avoidance of doubt and in the interests of the special interest of the protected building.

Expiry Date: This permission will cease to have effect on 10/01/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this permission confers no consent for the underpinning of the building. Should this work be found to be necessary a separate application for planning permission would be required.

For the avoidance of doubt, this decision permits the use of the barn as an integral part of and incidental to the principal dwelling presently known as Les Caches. 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.

The Authority does not recognise all of the land outlined on the submitted plans as forming the domestic curtilage associated with the dwelling presently known as Les Caches.

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/2022/0631
Property Ref: F012710000
Valid date: 21/04/2022
Location: Les Caches Rue des Caches St. Pierre Du Bois Guernsey GY7 9SG
Proposal: Install replacement roof covering, install rooflights to north elevation, erect covered porch to east elevation, fenestration and internal alterations to create dower unit to Barn A (Protected Building).

Applicant: Mrs A Willment

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. Prior to the removal of the existing windows and doors, details of the design, materials of construction and finish of all new windows and doors, to scale of 1:20 with sections at 1:5, have been submitted to and agreed in writing by the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development and the special interest of the protected building.

5. Notwithstanding the notations on Drawing Nos 1427-WD-14/A or 18/B, prior to the removal of any lintels, details of the condition of any lintels to be removed and justification for that removal, together with details of the proposed replacement lintels shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the works do not have any adverse impact on the special interest of the protected building.

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installed shall be submitted for the written agreement of the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the works do not have any adverse impact on the special interest of the protected building.

10. Prior to installation, details of the positioning and specification of the proposed dehumidification system shall be submitted for the written agreement of the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the proposal does not have any adverse impact on the special interest of the protected building.

11. No A-frames or purlins shall be cut or removed to accommodate the rooflights hereby approved and the rooflights shall be fitted flush with the roof in which they are installed.

Reason - To prevent adverse impacts on the special interest of the protected building.

12. The fascia to the porch hereby approved shall be constructed in timber.

Reason - To secure the satisfactory appearance of the completed development and to maintain the special interest of the protected building.

13. Notwithstanding the notes on the approved drawings, this permission confers no consent for the replacement of the ground and first floor windows in the south elevation of the building, serving the cider press and hall.

Reason - To clarify the permission for the avoidance of doubt and in the interests of the special interest of the protected building.

INFORMATIVES

For the avoidance of doubt, this permission confers no consent for the underpinning of the building. Should this work be found to be necessary a separate application for planning permission would be required.

For the avoidance of doubt, this decision permits the use of the barn as an integral part of and incidental to the principal dwelling presently known as Les Caches. 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.

The Authority does not recognise all of the land outlined on the submitted plans as forming the domestic curtilage associated with the dwelling presently known as Les Caches.

OFFICER'S REPORT

Brief Description of the site:

Les Caches comprises a traditional building group, with farmhouse and walled garden, and associated barns and outbuildings. The building group is located within the domestic curtilage in the centre of the site, with the land to the north, east and south of the property classified as agricultural. The site is accessed from Rue des Caches to the east.

The whole of Les Caches house is protected together with several barns and outbuildings. The free-standing greenhouse is not protected. Research suggests that the buildings have their origins in c.1450 with phases of development c.1500 and during the 18th and 19th centuries (McCormack, 2015 – building reference 237).

The site is bounded by the Route de Plaisance along part of the north boundary, and a residential property for the remainder. To the south and east the site is separated from fields by Rue des Caches and Rue des Rondiaux. There are residential properties located to the south-east of the site. The site is bounded by fields to the west.

The site is located to the south of the St Peters Local Centre, with the north-east corner of the site falling within the Local Centre designation, and being identified as Important Open Land. The majority of the property, including the buildings and associated domestic curtilage, however falls Outside of the Centres.

The current proposal relates to Barn A, a detached outbuilding to the east of the main house. Barn A is of high value to the protected building as a whole and there are elements of the interior that are of high value, including the apple crusher, cider press and chute and numerous roof and floor/ceiling timbers. For the avoidance of doubt, in relation to this application, the apple crusher is the circular machinery at the east end of Barn A, the cider press is the rectangular machinery to the south west of the apple crusher and the chute is the opening in the first floor/ceiling structure to the immediate west of the apple crusher. The latter cider press and the chute project upward into the first floor room.

Permission is sought under this application to form a dower unit within the western part of Barn A, comprising a kitchen/lounge/diner at first floor and ensuite bedroom at second floor. The remainder of the building would remain a workshop and cider

press at ground floor with hall above at first floor. The following works were initially proposed to the building:

- Install replacement roof rafters, battens and covering, reusing existing pantiles where possible;
- install 3no rooflights to north elevation;
- Erect covered porch to east elevation;
- Replace fenestration, excepting those to south elevation of hall/cider press;
- Alter door to window second floor level, west elevation;
- Install drainage channel across south elevation and land drain across north and east elevations;
- Install extracts to dower unit;
- internal alterations:
 - o Replace ground floor with insulated concrete floor in cider press room, excluding floor beneath cider press;
 - o Block up door at ground floor;
 - o Install electro-osmotic DPC in ground floor walls;
 - o Replace defective first floor beams, joists and boards;
 - o Install stair;
 - o Install insulation to dower unit.

The application was initially deferred to address the following points:

- Schedule of windows and doors to justify replacement;
- Clarification of works proposed to timber lintels, and justification for those works;
- Clarification of works to provide linings to ceiling and roof;
- Clarification of works to ground floor surface;
- Clarification of the proposed dehumidification system.

The application was subsequently deferred again to address the following points:

- Retention of sloping lintels and clarification of notes to lintels;
- Clarification of works to exterior walls;
- Clarification of works to provide linings to ceiling and roof;
- Clarification of vague notes.

Revised plans/additional information has been provided to attempt to address the points raised. It is however noted that drawing nos 1427-WD-30, 31, & 32 comprise duplicate plans, including less information than drawing nos 1427-WD-10, 11A, 12 & 13 and will not therefore form part of any approved drawings.

Relevant History:

FULL/2012/1101 Conversion and restoration of barn 'A' to provide dwelling house and store; install two rooflights in north elevation (Protected Building). Approved 28/08/12 – not implemented.

FULL/2022/0595 Erect single storey extension, install rooflight to west (rear) elevation, install first floor windows to east (front) elevation, internal and fenestration alterations. (Protected Building). Approved 26/07/2022

FULL/2022/1055 Erect 1.5 storey detached garage/carport/store with external staircase to east of existing garage and stables. (Protected Building). Approved 07/07/2022

FULL/2022/1079 Change of use of agricultural land to domestic curtilage (2,300sqm); remove hedging, erect polytunnel, fruit cages, fencing and compost bins (revised scheme). Approved 21/10/2022

FULL/2022/1182 Change of use of agricultural land (Use Class 28) to camp site, including installation of 10 glamping units with associated landscaping and parking, create vehicular access to north boundary, extend and alter barn 'A' (northern barn) to provide facilities block, including the provision of wellbeing activities and use of area of domestic curtilage for the provision of outdoor wellbeing activities (Protected Building). Pending.

Existing Use(s):

Residential Use Class 1

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:

GP5 Protected Buildings
GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Conclusion/Brief comment:

Policy GP13 of the Island Development Plan indicates that alterations and extensions to residential properties will be supported where there is no significant adverse impact on the amenities of adjoining properties; the design, scale, mass and form of development does not detract from the character of an open area; and there is no adverse effect on the special interest of a Conservation Area, Area of Biodiversity Importance, Protected Building or Protected Monument.

In this case, Policies GP8 and GP9, relating to Design and Sustainable Development, would also be relevant and the proposals must satisfy the terms of Policy GP5 of the Plan, and meet the statutory duties with regard to protected buildings.

Whilst the previous application for works to this barn were to form a separate dwellinghouse, the current application seeks to create an “ancillary Dower House (Studio)”, there is no request for the creation of a separate, independent unit and no fee has been paid for such. The use of the identified part of the building as a dower unit, providing accommodation ancillary to the dwellinghouse within an existing building, does not in itself comprise a change of use and would not require planning permission. In any case, the accommodation provided, by virtue of its scale, nature and relationship with the main house, would be acceptable as a dower unit under the provisions of Policy GP13.

The associated works set out on the proposed drawings would however require consent. The proposed works generally comprise a reasonable aspiration of the property owner, and, following submission of amended drawings/additional information, would meet the terms of Policy GP5, with the exception of the following elements of work which can be controlled by condition:

- No replacement of the windows to the south elevation serving the cider press and hall. Whilst the floor plans indicate retention of these windows, there are also annotations referring to replacement of all windows and doors. The “Window Schedule” on Drawing No 1427-WD-33 also refers to replacement of some of these windows, and does not therefore form part of the approved documents;
- Details of new and replacement doors and windows – Whilst large scale details of windows and doors are provided (Drawing Nos 1427-WD-33 & 34) these are generic details and specific details relating to each window and door type will be required;
- Details of the condition of and justification for removal of any lintels and details of proposed replacements. In respect of this point, it is noted that the sloping window heads at first floor level are of particular interest and should be retained if possible and replicated if not;
- Details of any works required to floor or roof structures or coverings;
- Retention of roof fabric and fitting of rooflights;
- Details of rainwater goods;
- Finish of porch fascia;
- Position and appearance of vents and extractors;
- Details of dehumidification system.

Should additional works be required to the base of the walls (eg underpinning) following opening up and investigation works, a separate application for planning permission would be required.

The proposal otherwise complies with the purpose of the Law, material considerations and relevant planning policies.

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: 09/01/23