

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: Variation to previously approved plans to sub-divide dwelling to form two dwellings - replacement roof tiles, internal and fenestration alterations (Protected Building).

LOCATION: Le Tertre, Rue Du Tertre, Vale.

APPLICANT: Mr J J Mitchell

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: 26/07/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/05/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design: 15-731-P3 WD/01C, WD/02C & WD/03C

Application Ref: FULL/2022/0858

Property Ref: C01139A000

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 on or before 13/06/2024.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2021/0129.

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.The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 14/06/2021, issued under planning application reference FULL/2021/0129, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

Expiry Date: This permission will cease to have effect on 13/06/2024 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/2022/0858
Property Ref: C01139A000
Valid date: 12/05/2022
Location: Le Tertre Rue Du Tertre Vale Guernsey GY3 5QF
Proposal: Variation to previously approved plans to sub-divide dwelling to form two dwellings - replacement roof tiles, internal and fenestration alterations (Protected Building).

Applicant: Mr J J Mitchell

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 on or before 13/06/2024.

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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. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 14/06/2021, issued under planning application reference FULL/2021/0129, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested for variations to works previously approved to sub-divide a dwelling to form two dwellings (FULL/2021/0129). The variations involve replacing the roof tiles on the south roofslope, altering the design of a window on the south elevation and internal alterations including altering the floor level and stairs in the dining room and alterations to the construction of the separating wall between the dwellings.

The site comprises of a former fortified manor house and farmhouse located in the north-east corner of the site with associated walled garden and a granite barn located in the north-west corner. The northern part of the site is relatively flat, while the southern part falls away steeply to the south.

The site is bounded to three sides by roads, with high granite walls along the north and east roadside boundaries and mature trees and a high boulder bank along the west. To the south the site is bounded by a development site for 51 sheltered houses. The site is accessed via a gateway in the south-west corner.

Within the walled garden there are two individually protected trees, a copper beech and sweet chestnut, and there is a further group of protected trees comprising sweet chestnut, Norway maple and sycamore along the western boundary.

The site is located within a Main Centre Outer Area in the Island Development Plan and is a site of archaeological importance. The whole of the enclos, including the exterior and interior of the house, the arches, tourelle, fireplaces and panelling together with the pump initialled T.OG and dated 1823, but excluding the courtyard, porches and the extension on the western gable of the house, is protected.

Relevant History:

14/06/2021 - FULL/2021/0129 – Permission granted to subdivide dwelling to form two dwellings (Protected Building).

Existing Use(s):

Residential – Use Class 1

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:

- MC2: Housing in Main Centres and Main Centre Outer Areas
- GP5 Protected Buildings;
- GP8 Design;
- GP9 Sustainable development;

Conclusion/Brief comment:

Planning permission was granted to subdivide the dwelling to form two dwellings in June 2021 (FULL/2021/0129), this current application is limited to variations to the previously approved scheme as set out above.

The proposed variations would have no adverse effects on the special interest of the protected building, in accordance with Policy GP5.

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: 25/07/2022