

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, extend at lower ground floor and ground floor level to north (rear) elevation (Protected Building).

LOCATION: La Maison De Haut, Brock Road, St. Sampson.

APPLICANT: Mr & Mrs S Paine

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: 07/07/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 28/04/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: The Drawing Room 283 C1, C2, C3, C4, C5, C6, C7.

Application Ref: FULL/2022/1023

Property Ref: B004810000

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.

Expiry Date: This permission will cease to have effect on 06/07/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

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 La Maison De Haut.

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/2022/1023
Property Ref: B004810000
Valid date: 28/04/2022
Location: La Maison De Haut Brock Road St. Sampson Guernsey GY2 4PJ
Proposal: Demolish extension, extend at lower ground floor and ground floor level to north (rear) elevation (Protected Building).

Applicant: Mr & Mrs S Paine

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.

INFORMATIVES

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 La Maison De Haut.

OFFICER'S REPORT

Brief Description of the site:

La Maison De Haut, Brock Road is a two-storey property that has been extended over time. Two-storey extensions exist to the side and rear of the property along with a modern conservatory extension to the rear. The plot includes La Maison De Haut, Dower Cottage and The Barn.

The site is located within the Main Centre Outer Area and La Maison De Haut is a Protected Building.

The exterior of the main house, including the front porch, and the interior of the 14th Century core of the main house, together with the interior of the hall, tourelle and square stairwell built as part of the 1906 extension of the property are Protected. Roadside walls along Brock Road immediately in front of the Old House and Wing are also protected.

Recent permissions have been granted for various alterations to the property as noted in the relevant history below.

Planning permission is now sought to demolish an existing extension, and extend the property at the lower ground floor and ground floor level to rear elevation (Protected Building).

Relevant History:

FULL/2019/1680	Variation to previously approved plans for replacement render - Omit replacement render (main house) (protected building).	Granted
FULL/2019/0973	Variation to previously approved plans to erect porch, form first floor terrace, demolish chimneys, alter roof form, recover roof, alterations to fenestration and internal alterations - Install two rooflights on north roofslope, install solar panels and internal alterations (Protected Building)	Granted
FULL/2018/1838	Demolish existing lean-to extension and steps and erect new porch extension on west elevation, remove extension and first floor level on east elevation and form new terrace, demolish chimneys, alter roof form,	Granted

	recover roof, alterations to fenestration and internal alterations (Protected Building)	
FULL/2017/1163	Demolish section of roadside wall on south-west corner of property to create new vehicle access and construct cantilevered deck to provide garaging and terrace and erect traffic mirror.	Granted

Existing Use(s):

Residential

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:

GP5 Protected Buildings
 GP8 Design
 GP9 Sustainable development
 GP13 Householder Development

Conclusion/Brief comment:

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.

Whilst the contemporary nature of the extension is contrasting to the traditional granite stone exterior of the property, Policy GP5 and GP8 give scope for traditional or contemporary extensions where it respects the special interest of the protected building.

In this regard the single storey, flat roof extensions are subservient to the main dwelling and achieve a high enough standard of design to complement and contrast with the original design of the property, by virtue of its zinc cladding and granite exterior, flat roof design together with the extent of contemporary fenestration.

The physical impact on the protected building would be minimal and the proposed structures would not adversely affect the setting. Consequently, the special interest of the Protected Building would be preserved.

Overall, the proposal achieves an acceptable standard of design in terms of its scale, form, massing, siting and materials, and would not have a detrimental effect on the character and appearances of the surrounding area, or the amenities of neighbouring residents.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

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.

Recommendation:

Grant with Conditions



Date: 06/07/22