

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: Erect 1.5 storey detached garage/carport/store with external staircase to east of existing garage and stables. (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: 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 29/04/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Direct Architectural Solutions Ltd: 1427-SK-10, -11 & -12.

Application Ref: FULL/2022/1055

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.No development shall begin on site until details of the materials proposed to the dormer windows hereby approved have been 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 materials proposed are appropriate to the building and would not have any adverse impact on the setting of the protected buildings.

5.No alterations shall be made to the existing walls or gate pillars as a result of the installation of the drainage channel hereby approved.

Reason - To protect the special interest of the protected building group.

6.No development shall begin on the drainage channel across the driveway until details of the proposed cover have been 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 feature. This condition is imposed to make sure that the cover is of satisfactory design and does not have any adverse impact on the setting of the protected buildings.

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

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the proposed outbuilding to be used only for purposes incidental to the enjoyment of the dwelling house. Any use in connection with a trade or business, or for separate habitable purposes, would require a separate grant of planning permission.

If any items or features of archaeological interest are discovered during the course of works it is desirable that contact is made with the States Archaeologist, Culture & Heritage Service. The Archaeology team can be contacted on 01481 709738 , 01481 709739 or mobiles 07781 102219 or 07781 131061.

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/2022/1055
Property Ref: F012710000
Valid date: 29/04/2022
Location: Les Caches Rue Des Caches St. Pierre Du Bois Guernsey GY7 9
Proposal: Erect 1.5 storey detached garage/carport/store with external staircase to east of existing garage and stables. (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. No development shall begin on site until details of the materials proposed to the dormer windows hereby approved have been 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 materials proposed are appropriate to the building and would not have any adverse impact on the setting of the protected buildings.

5. No alterations shall be made to the existing walls or gate pillars as a result of the installation of the drainage channel hereby approved.

Reason - To protect the special interest of the protected building group.

6. No development shall begin on the drainage channel across the driveway until details of the proposed cover have been 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 feature. This condition is imposed to make sure that the cover is of satisfactory design and does not have any adverse impact on the setting of the protected buildings.

INFORMATIVES

For the avoidance of doubt, this decision permits the proposed outbuilding to be used only for purposes incidental to the enjoyment of the dwelling house. Any use in connection with a trade or business, or for separate habitable purposes, would require a separate grant of planning permission.

If any items or features of archaeological interest are discovered during the course of works it is desirable that contact is made with the States Archaeologist, Culture & Heritage Service. The Archaeology team can be contacted on 01481 709738 , 01481 709739 or mobiles 07781 102219 or 07781 131061.

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

Site Description:

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.

Relevant History:

Various pending applications for work at this property.

Existing Use(s):

Residential Use Class 1

Brief Description of Development:

Permission is sought to erect a 1.5 storey L-shaped outbuilding to the south-east of the existing building group. The building would provide garaging, a store and a car port at ground floor, with attached log store, and additional storage at first floor, accessed by an external stair. The building would be finished in feather edged boarding with a slate roof. Steps are proposed between the proposed building and the stables to the west, and a gravelled parking area is proposed outside of the garages.

A new drainage channel is also proposed across the existing driveway to prevent flooding of the buildings.

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

GP5 Protected Buildings
GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Representations:

None received.

Consultations:

States Archaeologist:

In view of the historic interest of this property I would be grateful if you could place an informative notice on this development, should planning permission be granted, to the effect that the developers are encouraged to contact the States Archaeologist if they observe anything of archaeological interest during the building works.

Summary of Issues:

Impact on the setting of the protected building group.

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).**

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.

The proposed building comprises a substantial outbuilding located on the south-east edge of the existing protected building group, within the recognised domestic curtilage. The proposed building, by virtue of its scale, bulk and massing, would

comprise a dominant structure, however, taking into account the position, form and materials proposed, in the context of this building group the effect on overall special interest would be such that the proposal would meet the terms of Policy GP5. Whilst the proposed dormer windows do not appear necessary to serve a storage area, are domestic in nature, and would not typically be found on an ancillary outbuilding, they are limited in scale and number and would not have any particular adverse impacts. The materials proposed for the construction of the dormer windows should however be required by condition.

The proposed drainage channel across the driveway would not seem to affect any historic structures, however the decision should be conditioned to ensure no alterations are made to the adjacent walls and pillars, and to provide details of the proposed cover.

The building group is set away from public view points and neighbouring properties, and the proposed works would have no impact on the character of the area or neighbour amenity. It appears on site that the trees located within the footprint of the proposed building have already been removed, however the loss of these trees is not significant when taking into account the number of mature trees at this site, and particularly adjacent to the location of the proposed building.

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

Overall the proposal accords with the purpose of the Law, material considerations and relevant planning policies and approval is recommended.

Date: 05/07/22