

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 outbuildings and north (rear) extension, erect single storey extensions to north (rear) elevation, widen existing vehicle access to south east boundary and alterations to fenestration.

LOCATION: La Corbiere Farm, Rue De La Corbiere, Forest.

APPLICANT: Mr & Mrs O'Neill

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: 24/11/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/07/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture Ltd - 02.03B, 02.04A, 02.05, 02.06, 02.07, 02.08, 02.09A & 02.10.

Application Ref: FULL/2022/1417

Property Ref: H000600000

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 23/11/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment.

It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site.

The Archaeology team can be contacted on 01481 709738 , 01481 709739 or mobiles 07781 102219 or 07781 131061.

Your attention is drawn to the Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The existing building may be used by bats or other wildlife for roosting and nesting. Measures may therefore need to be taken (including consideration of the timing of the works and provision to support wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted on 07781 166924 or email info@societe.org.gg

Your attention is drawn to the Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The existing garden area may be used by nesting birds or other wildlife. You are requested to undertake any extensive clearance of vegetation outside of the main bird breeding season (March-July inclusive). If removal of any trees and shrubs during the breeding season is considered essential, it is

recommended that you contact La Societe Guernesiaise so that the site can be inspected prior to removal to ensure that any protected species present are not impacted by the works. La Société can be contacted on 07781 166924 or email info@societe.org.gg

Your attention is brought to the issue of avoidable light pollution and its effects on the natural environment and associated wildlife. The existing landscape is not currently subject to extensive artificial lighting and it is therefore requested that external lighting be avoided or kept to a minimum wherever possible.

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/2022/1417
Property Ref: H000600000
Valid date: 22/07/2022
Location: La Corbiere Farm Rue De La Corbiere Forest Guernsey GY8 OJG
Proposal: Demolish outbuildings and north (rear) extension, erect single storey extensions to north (rear) elevation, widen existing vehicle access to south east boundary and alterations to fenestration.
Applicant: Mr & Mrs O'Neill

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 application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment.

It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site.

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Your attention is drawn to the Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The existing garden area may be used by nesting birds or other wildlife. You are requested to undertake any extensive clearance of vegetation outside of the main bird breeding season (March-July inclusive). If removal of any trees and shrubs during the breeding season is considered essential, it is recommended that you contact La Societe Guernesiaise so that the site can be inspected prior to removal to ensure that any protected species present are not impacted by the works. La Société can be contacted on 07781 166924 or email info@societe.org.gg

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OFFICER'S REPORT

Site Description:

The property known as 'La Corbiere Farm' is a two storey farmhouse which is made up of two cottages, one of which is from the 16th century. The property has

agricultural fields to the east and west, both within the same ownership. Rue de la Corbiere runs along the south boundary and there are agricultural fields to the north and across the road to the south. The property is located Outside of the Centres and is within the Agriculture Priority Area as defined in the Island Development Plan.

Relevant History:

FULL/2022/1133 – Demolish outbuildings (Retrospective) – Approved July 2022.

Existing Use(s):

Residential use class 1: dwelling house.

Agricultural use class 28: Agriculture.

Brief Description of Development:

This application is to demolish the two smaller outbuildings to the north, the old pigsty and small stable block, and the single storey lean-to extension on the north elevation of the property. The proposal is to erect a single storey extension to the north elevation and rebuild the lean-to area and connect with a glass link. Initially it was also proposed to change the use of 283sqm of the agricultural land to the east to domestic curtilage to allow for alterations to the existing vehicular entrance, widening the access so it becomes the primary entrance to the property.

However, there were concerns over the change of use, domesticating part of an agricultural field entrance would compromise the use of the agricultural field by discouraging farmers from driving field machinery over a domestic driveway. The change of use has since been removed and the entrance is still proposed to be enlarged to allow entrance for the domestic vehicles (to enter and drive into the domestic curtilage) and for agricultural vehicles to access the field.

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

GP1: Landscape Character and Open Land

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

IP9: Highway Safety, Accessibility and Capacity.

Representations:

There have been two letters of representation and the issues are:

- The main farmhouse dates from the second half of the sixteenth century and thus there is some potential for archaeological interest in the proposals to develop the area to the north of the building. It is unfortunate that a number of the outbuildings in this area have already been demolished (FULL/2022/1133) without any recording taking place beforehand, and it

would be useful to make a photographic record of the surviving stable and pigsty before they are also destroyed.

- It is questioned on a property of this size the need for an increase in curtilage for a bin store.
- No mention of the Strategy for Nature is made in the landscaping plans and from experience many landscape gardeners do not know what is a native plant and what plants are good for wildlife. As the landscaper is not local it is suggested that the applicants contact local experts for guidance. Any external hedges should be of native species and if "evergreen" hedges are planted they should be either Holly or Yew. Evergreen Oak is not native.
- Should the cesspit be in an agricultural field.

Consultations:

None

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Whilst the buildings on the property are not protected, the main farmhouse buildings are 18th Century, with the additions to the east and south and the detached "Pigsty" and "Stables" constructed in the 19th Century. The buildings on site did include a Pigeon house, and another outhouse, but they were both demolished under a separate application. The buildings once comprised a traditional and historic group which made a particular positive contribution to the character of this rural area.

However, since two outbuildings have been demolished, the pigsty and stable block contribute less to the character and it is considered acceptable for the structures to be removed. Ideally these structures would be surveyed and photographed before demolition, however, given that the building is not protected, this would not be a reasonable requirement in this case. However, an archaeologist should be contacted should any historical finds become apparent during the course of works.

In this case, the demolition of the mono-pitch elements wrapping around the rear projection of the dwellinghouse, currently forming a porch, WC and boiler room,

would have no adverse impacts. The replacement extension and the glass link are considered acceptable.

The single storey extension to the rear of the property achieves a high standard of design, with good detailing and using materials which complement the existing materials. The extension will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation.

The scale and massing of the new extension is not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it have any impact on any of the neighbours.

The proposed bin store has been relocated from the west of the main dwelling (within APA land) and is now to be located to the east of the existing garage, within the domestic curtilage, which is considered more appropriate and it is closer to the main entrance.

Changing the primary vehicle entrance to the south boundary, rather than having to drive across a whole agricultural field to get to the rear of the property, does seem to be a sensible proposal. It allows the western agricultural field to revert back to open land, it prevents cars being able to drive past the rear of the building separating the dwelling from the domestic garden and limits the amount of driveway and defined parking space for vehicles.

Vehicles will enter from the existing agricultural entrance on the south boundary, which will still be widened (to 5m) with a bell-mouth to allow for domestic and agricultural vehicles to enter and exit, but will not be paved and no domestic entrance gates will be added. This is to ensure that the entrance is predominantly for access to the agricultural field, APA land, and a domestic access second. The proposed works will greatly improve sightlines to and from the site with low granite wall either side to match the existing.

There has been a holistic landscaping plan submitted for the whole site (domestic curtilage and two agricultural fields), which shows the west field planted with an orchard, the driveway removed and longer grass and native shrubs around the perimeter, The domestic garden landscaped close to the house and a wild flower meadow to the north, and the eastern field to remain as is, with some tree planting around the perimeter. This planting would be supported.

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

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

3 - General material considerations set out in the General Provisions Ordinance.

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. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 21/11/2022