

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 extensions and stables, re-roof, demolish and rebuild chimneys, extend and alter at ground floor and 1st floor level, install rooflights to south (rear) elevation, install rooflights to north (front) elevation, internal and fenestration alterations. Extend and alter outbuilding to west of property (Protected Building).

LOCATION: Le Colombier Farm, Rue De Colombier, Torteval.

APPLICANT: Mr & Mrs D & F Jones

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: 30/11/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/08/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: CCD Architects - 3437 PD/01B, PD/02B, PD/03B, PD/04B & PD10.

Application Ref: FULL/2022/1510

Property Ref: G001840000

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 commencement of works to the windows hereby approved, 1:20 scale elevations of the replacement windows as well as 1:5 scale details of the window jamb, cill, head, meeting rails, glazing bar shall be submitted to and approved in writing by the Authority. The windows shall thereafter be installed in accordance with the approved details.

Reason - To ensure that the replacement windows respect the special interest of the protected building.

5.No works to form the new opening to the proposed study on the ground floor in the south elevation shall be carried out until precise specifications (see other remarks) have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - The information submitted as part of the development in respect of this aspect of the works is limited.

Expiry Date: This permission will cease to have effect on 29/11/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing buildings may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected accordingly prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated 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 by emailing info@societe.org.gg.

The specifications required under condition 5 shall include how the opening is to be carefully formed in the wall; how it will be kept to an absolute minimum; details of the new lintel and quoins and how they will match the existing construction material and size of stone in the existing wall.

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/2022/1510
Property Ref: G001840000
Valid date: 11/08/2022
Location: Le Colombier Farm Rue De Colombier Torteval Guernsey
GY8 ONF
Proposal: Demolish extensions and stables, re-roof, demolish and rebuild chimneys, extend and alter at ground floor and 1st floor level, install rooflights to south (rear) elevation, install rooflights to north (front) elevation, internal and fenestration alterations. Extend and alter outbuilding to west of property (Protected Building).
Applicant: Mr & Mrs D & F Jones

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 commencement of works to the windows hereby approved, 1:20 scale elevations of the replacement windows as well as 1:5 scale details of the window jamb, cill, head, meeting rails, glazing bar shall be submitted to and approved in writing by the Authority. The windows shall thereafter be installed in accordance with the approved details.

Reason - To ensure that the replacement windows respect the special interest of the protected building.

5. No works to form the new opening to the proposed study on the ground floor in the south elevation shall be carried out until precise specifications (see other remarks) have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - The information submitted as part of the development in respect of this aspect of the works is limited.

INFORMATIVES

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing buildings may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected accordingly prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated 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 by emailing info@societe.org.gg.

The specifications required under condition 5 shall include how the opening is to be carefully formed in the wall; how it will be kept to an absolute minimum; details of the new lintel and quoins and how they will match the existing construction material and size of stone in the existing wall.

OFFICER'S REPORT

Brief Description of the site:

The application site, known as Le Colombier Farm, comprises a large detached farmhouse, located to the north of Rue de Colombier. The property is located in a Conservation Area and Agriculture Priority Area and is Outside of the Centres as designated in the Island Development Plan.

It is recognised that the whole of the exterior of the building, together with the stone well housing at the rear and the barn attached to the western side of the farmhouse are protected. The interior of the house is not listed.

Planning permission is sought to demolish extensions and stables to the rear of the property, re-roof the dwelling and barn, demolish and rebuild chimneys. It is also proposed to extend and alter the property at ground floor and 1st floor level, as well as installing rooflights to the front and rear of the property and make internal and fenestration alterations. Permission is also sought to extend and alter the outbuilding to the west of property.

Relevant History:

FULL/2021/0864	Remove section of wall and excavate to create agricultural field and track access.	Granted
HAPP/2005/0123	Demolish existing barn, extend and alter dwelling to create a dower unit	Granted
PAPP/2005/0120	Demolish existing barn, extend and alter dwelling to create a dower unit	Granted
HAPP/2004/3295	Demolish existing barn, extend and alter dwelling to create a dower unit	Granted
PAPP/2004/3294	Demolish existing barn, extend and alter dwelling to create a dower unit	Granted
HAPP/1998/3941	Demolish part of dutch barn and extend stable block.	Granted
PAPP/1992/2592	Remove earth bank and level area of land (retrospective)	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:

GP4 Conservation Areas
GP5 Protected Buildings
GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Comments:

La Societe Guerneslaise:

"In respect of this application, we would like to highlight that buildings of this type can be used by roosting bats and other wildlife. This likelihood can increase when the property is located within a variable landscape with habitats such as farmland or woodland nearby.

We would strongly recommend that the buildings be inspected for current or recent use by bats by a suitably qualified person prior to any building works. This would reduce the risk of disturbing or destroying animals which are legally protected under the Animal Welfare Ordinance 2012.

We would request that, if this application is approved, an informative note be added to the Information Sheet as follows -

'Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing buildings may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected accordingly prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Société Guerneslaise for advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg".

Conclusion/Brief comment:

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.

The application site has been extended and altered over the years, with the oldest part of the site comprising the farmhouse together with the attached barn to the west of the dwelling. The property was later extended to the side (east) and rear during the mid-1990s and mid-2000s.

The proposal seeks to demolish later additions to the property which have low architectural merit and historic interest, and create a two storey gable ended extensions, and single storey lean-to extensions to the rear of the property serving the main house and the attached barn.

The proposal generally directs the extension and alterations away from the original, most sensitive parts of the property, therefore the overall the impact on the special interest of the protected building has been designed out.

The creation of a new window in the front (south) elevation of the property to serve a ground floor study will adversely affect a historic part of the building. Although, due to the overall strategy of the development proposed, it is considered a reasonable aspiration of the householder to improve light levels to this area of the building when weighed against the remainder of the works. Consequently, the harm to the building is outweighed in favour of the householder's development aspirations which are reasonable. It is necessary to attach a condition to understand the full details of the works proposed in relation to the creation of a new window on this most sensitive part of the building.

The existing windows throughout the building appear to have been replaced in the 1990s and 2000s, and therefore are not original features of the building. Replacing the windows is therefore acceptable as this is considered to have a neutral effect on the special interest of the building. It is considered necessary to condition the replacement windows to ensure that the special interest of the building is preserved as limited information has been submitted as part of the application.

On the whole, proposed extensions and alterations to the dwelling adopt a high standard of design for the purposes of Policy GP8 by virtue of its scale, form, massing, siting and materials. The extensions will be subservient to the main dwelling and adopt a material palette which reflects and respects those materials used on the main dwelling. The works to the outbuilding is also acceptable.

The proposal is not considered to have a detrimental impact on the character of the area, visual amenity, or the amenities of neighbouring residents given that the substantial parts of the development are located to the rear of the property.

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: 24/11/2022

