

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: Convert stables/outbuilding to a residential dwelling with associated parking.

LOCATION: Les Rondiaux, Rue Des Rondiaux, St. Pierre Du Bois.

APPLICANT: Mr & Mrs S Fell

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: 19/01/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/08/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne: N85-10602-S1-01A & -02B.

Application Ref: FULL/2022/1533

Property Ref: F012700000

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 hardsurfacing shall be laid until details of the method of laying and finish 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 surfacing is of satisfactory appearance, does not have any adverse impact on the setting of the protected building and allows for drainage of surface water.

5.The roof covering hereby approved shall have a matt finish.

Reason - The site is located within the Airport Public Safety Zone and a matt finish is required in the interests of public safety.

Expiry Date: This permission will cease to have effect on 18/01/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building is located in an area where bats may be roosting and measures may therefore need to be taken (including consideration of the timing of the works) to ensure that any protected species present 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 societe@cwgsy.net .

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/2022/1533
Property Ref: F012700000
Valid date: 23/08/2022
Location: Les Rondiaux Rue Des Rondiaux St. Pierre Du Bois Guernsey
GY7 9SQ
Proposal: Convert stables/outbuilding to a residential dwelling with
associated parking.
Applicant: Mr & Mrs S Fell

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 hardsurfacing shall be laid until details of the method of laying and finish 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 surfacing is of satisfactory appearance, does not have any adverse impact on the setting of the protected building and allows for drainage of surface water.

5. The roof covering hereby approved shall have a matt finish.

Reason - The site is located within the Airport Public Safety Zone and a matt finish is required in the interests of public safety.

INFORMATIVES

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building is located in an area where bats may be roosting and measures may therefore need to be taken (including consideration of the timing of the works) to ensure that any protected species present are not impacted by the works. It is recommended that you contact La Société Guernesiale for advice or to arrange a site visit. La Société can be contacted on 07781 166924 or email societe@cwgsy.net.

OFFICER'S REPORT

Site Description:

The application site comprises a detached and extended farmhouse, with associated outbuildings, set in the north-east corner, with grounds extending to the south and west. The site is bordered by agricultural land to the east and south and the Rue des Rondiaux runs along the north and west boundaries, separating the site from further agricultural land to the west and a residential property to the north. The whole of the site is recognised as domestic curtilage.

The exterior of the main building, together with the roadside walls, is protected. The single storey rear structure, glazed structure and outbuildings are excluded from the listing.

The site is located Outside of the Centres, within a designated Agriculture Priority Area, in the Island Development Plan. The site has archaeological value.

Relevant History:

None.

Existing Use(s):

Residential Use Class 1

Brief Description of Development:

Permission is sought to convert the stables to the rear of the existing dwelling to form a separate one bedroom dwelling. Two parking spaces would be provided to the west of the building, including an electric charge point, accessed via the existing drive from the north. The site would be divided in half to provide amenity space for the existing and proposed dwellings.

A Structural Inspection prepared by CBL Consulting is submitted in support of the application.

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

OC1	Housing Outside of the Centres
GP5	Protected Buildings
GP7	Archaeological Remains
GP8	Design
GP9	Sustainable Development
GP16(A)	Conversion of redundant buildings
IP6	Transport Infrastructure and Support Facilities
IP7	Private and Communal Car Parking

Representations:

La Societe Guerneslaise comment as follows:

We would like to highlight that outbuildings of this type can be used by roosting bats, nesting birds 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 recommend that the building 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. Further, in order to help towards net ecological balance, it would be advisable to incorporate appropriate measures to support biodiversity in the long term.

We would request that, if this application is considered further, 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 Guernesiaise for advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg

Consultations:

Guernsey Airport comment as follows:

As the height of the building is remaining the same and is below the tree line and surrounding buildings, this will not be an issue. The zinc roofing has the risk of causing dazzle to pilots operating to and from the aerodrome. Could we confirm with Lovell Ozanne that the intended roofing will not be one with a sheen surface but will be a design that is dull thus reducing the risk of dazzle.

Summary of Issues:

Whether the proposal complies with policy.

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).**

The building which forms the subject of this application is a former stables, which is no longer in use. The covering letter submitted with the application states that the building has not been used as a stables for over 27 years and identifies that there is a separate storage building adjacent to the east boundary of the site for storing miscellaneous domestic items. This building was evident on site, and comprises a monopitch structure of a size to adequately provide for domestic storage associated with the existing dwelling. In this case therefore it is accepted that the building is no longer required for its last known purpose.

The proposed conversion is for residential use.

The structural inspection identifies that the existing building is of robust construction for its last known purpose, and this accords with observations on site. The inspection notes that there is evidence of historic foundation movement, particularly in the north-east corner, and of eaves spread, but that there is no evidence of progression of the cracking and these elements can be restored through crack repairs with no requirement for underpinning.

The structural works required to facilitate the conversion as proposed would include the addition of restraints at eaves level and the addition of new intermediate rafters to support the new zinc roof covering. The proposals also include alterations to existing and creation of a new aperture in the external wall, and repositioning of the aperture within the internal wall. Externally the building will be clad in cedar boarding. On balance, these works would not amount to extensive alteration.

No extension is proposed as part of the scheme.

The proposed alterations would not significantly alter the scale and form of the building and, taking into account this point and the relationship with the protected parts of the main building, the proposal would not therefore have any notable impacts on the setting of the protected building.

The building is of simple form, reflecting its original purpose, and, whilst in part historic, has been subject to alteration over time and does not comprise a building of particular character. Furthermore, the building is located to the rear of the main building at the site, closely related to the existing building group, and is of limited visibility from the surrounding roads. Taking into account the restricted visibility and limited alterations to the building, the proposal would not significantly alter the contribution the building makes to the character of the surrounding area and would not have any adverse impacts on the wider character or openness of the area.

Hardsurfacing associated with the proposed conversion is limited, however details should be required by condition to ensure an appropriate finish and, where possible, permeable solutions. The removal of existing hedging within the site and planting of hedging of appropriate species along the new boundary line between the existing and new dwellings would not have any adverse impacts. As the proposed conversion is located within an existing domestic curtilage, and the proposed works are limited, it would not be reasonable to require additional landscaping in this instance.

The proposed accommodation would meet the minimum standard for a two person unit under the Building Regulations. In terms of accessibility to and within the building and the provision of flexible accommodation, the submitted information details level access and good circulation and the accommodation is provided over a single level. The proposal includes adequate parking and generous amenity space for both the existing and proposed dwellings.

The proposed new dwelling would share the existing vehicular access. Whilst sightlines would fall below standard from that access, taking into account the nature of the adjacent road and the low level of additional vehicular movements associated with the new dwelling, the proposal would not raise any road safety concerns.

Confirmation has also 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. Paving to the south of the new dwelling is stated to be permeable, however details have not been provided in respect of the extended parking area, and this should be controlled by condition.

The proposed conversion and associated works are set away from other residential property, with the exception of the existing dwelling at the application site. The proposed scheme has however been designed to avoid negative impacts on the amenity of that dwelling.

Guernsey Airport raise concerns regarding potential dazzle if the roof material were to be finished with a sheen. It is therefore recommended that the decision be conditioned to ensure a matt finish to the zinc roof covering.

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

Date: 18/01/23

