

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: Install flue to south-west (rear) elevation and alterations to fenestration, erect raised patio with balustrade and external steps, create vehicle access and parking area and re-point the Abreuveur (Protected Monument).

LOCATION: Le Chalet de Pages, Les Pages, St. Martin.

APPLICANT: Mr & Mrs J Knight

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: 11/11/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/08/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Courtillet Design drawing no's: 22-747 03 & 04A

Application Ref: FULL/2022/1563

Property Ref: J009530000

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 a Method Statement for repairs to the Protected Monument (PM303) as well as detailed specification of materials has been submitted to and approved 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 works to the Protected Monument, nor its setting. This condition is imposed to make sure that the works do not have any adverse impact on the special interest of the Protected Monument.

Expiry Date: This permission will cease to have effect on 10/11/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Notwithstanding the drawings hereby approved, it is recommended that the setting of the Abreuveur, including the granite sets, be clearly distinguished from that of the proposed hard surfacing of the driveway.

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. It is also noted that it would be beneficial to include

suitable measures to support roosting bats and nesting birds within the development proposal.

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/2022/1563
Property Ref: J009530000
Valid date: 22/08/2022
Location: Le Chalet de Pages Les Pages St. Martin Guernsey GY4 6QX
Proposal: Install flue to south-west (rear) elevation and alterations to fenestration, erect raised patio with balustrade and external steps, create vehicle access and parking area and re-point the Abreuveur (Protected Monument).

Applicant: Mr & Mrs J Knight

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 a Method Statement for repairs to the Protected Monument (PM303) as well as detailed specification of materials has been submitted to and approved 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 works to the Protected Monument, nor its setting. This condition is imposed to make sure that the works do not have any adverse impact on the special interest of the Protected Monument.

INFORMATIVES

Notwithstanding the drawings hereby approved, it is recommended that the setting of the Abreuveur, including the granite sets, be clearly distinguished from that of the proposed hard surfacing of the driveway.

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. It is also noted that it would be beneficial to include suitable measures to support roosting bats and nesting birds within the development proposal.

OFFICER'S REPORT

Brief Description of the site:

The site consists of a traditional pitched roof 1½ storey dwelling constructed with stone walls and a slate roof. The dwelling is elevated above the highway and is set within a hillside. The application site includes protected monument 303 within the roadside bank, which is described on the notice as a *“water trough, forecourt and associated walls, also the fountain and forecourt at Rue des Pages”*.

The site is situated to the east of the junction between Rue Des Pages and Les Pages and at the top of a tributary arm of the Petit Bot Valley. The site is Outside of the Centres as defined in the Island Development Plan. A field and wooded parcel of land to the west of the site, on the opposite side of the highway Les Pages, forms part of the Cliffs Site of Special Significance and has an area Tree Protection Order.

Planning permission was granted in 2020 (FULL/2020/1680) for a similar proposal, albeit was of a greater effect on the building and surrounding landscape.

Planning permission is now sought to install a flue to south-west (rear) elevation and alter the fenestration, erect a raised patio with balustrade and external steps, create a vehicle access and parking area, and re-point the Abreuveur (Protected Monument).

Relevant History:

FULL/2020/1680	Raise roof ridge height, extend and alter at ground and first floor level to north-east (rear) elevation. Excavate and alter to form vehicular access and parking and erect external steps.	Granted
FULL/2019/1057	Demolish dwelling and erect replacement dwelling, create vehicular access for detached garage and associated landscaping.	Refused

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:

GP1 Landscape Character and Open Land

GP6 Protected Monuments

GP8 Design

GP9 Sustainable development

GP13 Householder Development

IP7 Private and communal parking

IP9 Highway Safety, Accessibility and Capacity

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.

Planning permission was granted in 2020 (FULL/2020/1680) to raise the ridge height and to extensively extend and alter the property at ground and first floor level to the rear, as well as excavating and altering the land to form a vehicular access, parking area, and install external steps.

This application is less extensive and expansive than the former scheme and is more sympathetic to the building and the landscape.

Whilst the parking area is similar to that approved in 2020 and therefore it would be unreasonable to attach a new condition in relation to the works proposed, to improve the quality of the development and to pay greater respect to the setting of the protected monument (Policy GP6), it is recommended that a distinction is made between the Abreuveur and the cobble parking area.

Overall, the proposed works would have a negligible effect on the character and appearance of the area and would not lead to any significant issues with regards to the impact on 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: 10/11/22