

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: Variation to previously approved plans for conversion of barn into a dwelling, demolish outbuilding, alterations to wing, change of use of land to domestic, create new vehicular access and close existing access. (Revised scheme) - Infill store opening to east, install window at 1st floor level to north and solar panels to west elevation.

LOCATION: Hayloft, Route Des Talbots, St. Andrew.

APPLICANT: Mr & Mrs P Falla

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: 17/10/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/09/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A 7429-01 B1F, B2D, B3D & B5B.

Application Ref: FULL/2022/1581

Property Ref: K00284B000

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 on or before 22/12/2024.

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. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 23/12/2021, issued under planning application reference FULL/2021/0031, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

5. There shall be no occupation of the dwelling until the solar panels have been installed and made operational and the panels hereby permitted shall be removed from the roof when no longer required.

Reason - In the interests of sustainable development and to safeguard the character and appearance of the building.

Expiry Date: This permission will cease to have effect on 16/10/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

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/2022/1581
Property Ref: K00284B000
Valid date: 06/09/2022
Location: Hayloft Route Des Talbots St. Andrew Guernsey GY6 8SQ
Proposal: Variation to previously approved plans for conversion of barn into a dwelling, demolish outbuilding, alterations to wing, change of use of land to domestic, create new vehicular access and close existing access. (Revised scheme) - Infill store opening to east, install window at 1st floor level to north and solar panels to west elevation.

Applicant: Mr & Mrs P Falla

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 on or before 22/12/2024.

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. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 23/12/2021, issued under planning application reference FULL/2021/0031, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

5. There shall be no occupation of the dwelling until the solar panels have been installed and made operational and the panels hereby permitted shall be removed from the roof when no longer required.

Reason - In the interests of sustainable development and to safeguard the character and appearance of the building.

OFFICER'S REPORT

Brief Description of the site:

The application site is located to the south-west of Route des Talbots and south-east of Rue des Rocquettes. The site as a whole is recognised as agricultural land and includes a 19th century open sided barn adjacent to the south boundary, a small outbuilding adjacent to the road and a former mill building located adjacent to Rue des Roquettes to the north of the site.

The whole of the house and enclosed barn on the adjacent land, together with the roadside wall adjacent to those structures, is protected. The 19th century open sided barn and the outbuilding adjacent to the road on the application site form part of the historic building group, however are excluded from the listing.

Following the grant of permission to convert the barn to a unit of residential accommodation this application seeks to vary the previously approved scheme by infilling the ground floor store opening to east elevation with a door and window, installing a first floor window to north elevation and omitting solar panels from the east and west roofslopes of the extension and installing a larger array of solar panels on the west roofslope of the main building.

The site is located Outside of the Centres, within an Agriculture Priority Area, in the Island Development Plan.

Relevant History:

15/10/2020 FULL/2020/1273 Permit for change of use of agricultural land to south-east of existing dwelling to domestic garden and create new vehicular access and parking area

23/12/2021 Permission granted for the conversion of barn into a dwelling, demolish outbuilding, alterations to wing, change of use of land to domestic, create new vehicular access and close existing access. (Revised scheme). (expires 22/12/2024)

Existing Use(s):

Agricultural Use Class 28

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

Island Development Plan policies:

OC1	Housing Outside of the Centres
GP5	Protected Buildings
GP8	Design
GP9	Sustainable Development
GP16(A)	Conversion of redundant buildings

Representation:

One letter of representation has been submitted stating:

The applicant has requested an extension to curtilage but has not provided details of “net gain” under the Strategy for Nature. The site is in one of Guernsey’s most beautiful valleys and has already seen a huge amount of clearance work. The outhouses, several of which have already been destroyed, may have provided nesting/roosting sites for swallows, Barn Owls, bats and other species. The installing of the door attached to it is necessary to destroy the existing pigsties these are an integral part of old Guernsey Farmsteads and many should be listed as listed buildings?

Conclusion/Brief comment:

The principle of the proposed development has been established through the grant of permission as noted in the Planning History above therefore this application will assess only the effects of the proposed alterations.

With regard to Policy GP16(A) c. the building should be capable of conversion without extensive alteration or rebuilding. As previously approved the existing side extension was indicated to be used as a garage/store with the space open to the roof and incorporating structural stabilisation only.

As approved the works to the side extension would not have formed habitable accommodation but rather to facilitate storage for equipment associated with the upkeep of the land to reduce the need for further buildings in the future and this matter was to be controlled by condition (condition 9). As proposed, the scheme has been amended to infill the garage/store doorway, the insertion of a first floor for storage within the roofspace of the extension and the insertion of a first floor gable window to provide light to the newly formed first floor. These works would represent other works to facilitate the conversion and are considered not to represent extensive alterations to the building in line with the aims of Policy GP16(A) criterion c.

The works would not have a detrimental impact on the setting of the adjoining Protected Buildings in line with Policy GP16(A) criterion d. and GP5. The barn is a building of character as it comprises a substantial structure with distinctive and unusual stone work, and is a relatively rare form of 19th century agricultural building. The amendments to fenestration proposed represent a good standard of design and would not have a detrimental impact on the contribution a building of character makes to the character and appearance of the area in line with the requirements of Policy GP16(A) criterion e. and GP8 of the IDP.

The proposed alterations to fenestration and the siting of solar panels will not have a detrimental impact on the amenities enjoyed by the occupiers of any surrounding dwellings in accordance with Policies GP8 and GP9. The introduction of doors to the store will provide a secure, wind and watertight space for storage purposes (the earlier conditions would still apply) and the insertion of a first floor gable window will ensure that the space is served by ample sunlight and daylight. The scheme therefore considers the health and well-being of occupiers of the development by providing a more usable storage space (over two floors) served by natural light. In this respect the scheme meets the aims of Policy GP8.

The introduction of solar panels to a single roofslope would obscure the western roofslope of this building of character however, their installation would be reversible when no longer required (a matter that could be controlled by condition). Furthermore, the provision of solar panels will enhance the overall sustainable design of the development in line with the aims of Policy GP9 and on balance the impact on the building and locality is outweighed by the benefit offered by their provision. Their installation prior to the occupation of the dwelling can be managed by condition to ensure this environmental benefit is secured.

The comments relating to the change of use of land have been noted however, this application does not relate to the change of use of land therefore the requirements of the Strategy for Nature cannot influence the determination of this application. An

informative note was placed on the original permission relating to the Animal Welfare Ordinance and the potential for the buildings to be used as roosting/nesting sites. As outlined above, various buildings/parts of the site are Protected.

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.

In view of the above it is recommended planning permission is granted for the proposed amendments.

Recommendation:

Grant with Conditions



Date: 17 October 2022