

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: Variations 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) - Retain section of outbuilding for retaining wall, erect greenhouse to north-east, extend paving area and alter landscaping.

LOCATION: Hay Loft, Les Galliennes, Route Des Talbots, St. Andrew.

APPLICANT: Mr & Mrs P B 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: 01/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/12/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd - 7429-02 B1A & B2A

Application Ref: FULL/2022/2210

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 21/12/2021, 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.

Expiry Date: This permission will cease to have effect on 22/12/2024 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 info@societe.org.gg.

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/2022/2210
Property Ref: K00284B000
Valid date: 09/12/2022
Location: Hay Loft Les Galliennes Route Des Talbots Route Des Talbots St.
Andrew Guernsey GY6 8SQ
Proposal: Variations 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) - Retain section of
outbuilding for retaining wall, erect greenhouse to north-east,
extend paving area and alter landscaping.

Applicant: Mr & Mrs P B 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 21/12/2021, 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.

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 Guernesiaise for advice or to arrange a site visit. La Société can be contacted on 07781 166924 or email info@societe.org.gg.

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 retaining a section of the walls of a former outbuilding to the site boundaries in connection with the erection of a domestic greenhouse with associated hardstanding and alterations to the approved areas of soft landscaping.

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 FULL/2021/0031 Permit 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)

17/10/2022 FULL/2022/1581 Permit for a 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

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:

La Societe Guernesiaise – reiterate previous concerns regarding development at this site and note that the developer/applicant has not contacted La Societe at any stage regarding ecological surveys.

Previous comments (FULL/2022/1581) – La Societe have made three representations regarding previous applications in the last two years, all of which highlighted the potential importance of the site for bats. However, La Societe have never been contacted by the agent or land owner for assistance or advice. It is noted that the Informative Notes are not necessarily a legal requirement, the Animal Welfare (Guernsey) Ordinance, 2012 does provide legal protection for bats and other wildlife.

Attention was drawn in this response to the fact that buildings of this type can be used by roosting bats and other wildlife and a request made in relation to informative notes regarding bats/timings of work and regarding light pollution.

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 greenhouse and alterations to paving. The development proposed will fall within the recognised curtilage of the dwelling once complete. The property is not however, currently wind and watertight and the land is not yet recognised as domestic curtilage. Nonetheless, taking a proportionate approach it would be unreasonable to consider this application as premature in advance of the dwelling being complete. Work will need to have commenced in relation to the glasshouse development by the time the permission for the conversion of Hayloft expires, in December 2024.

The approved scheme to create a unit of residential accommodation at Hayloft did not include any extensions/increase in floor area. The proposed greenhouse would represent only a modest increase in the floor area of built development when considering Policy GP16(A).

The proposed glasshouse would be situated adjacent to Route Des Talbots but would be partially screened by the existing roadside bank and retained, retaining wall. The development proposed would not appear unduly obtrusive in the streetscene nor out of character in this rural location. The works would not have an adverse impact on residential amenity nor the setting of the Protected Building. Overall, the scheme accords with the aims of all relevant policies in the Island Development Plan.

The comments raised through the public consultation process have been noted however, the Animal Welfare Ordinance is entirely separate legislation to planning and cannot prevent the grant of planning permission. This application does not relate to the main building but rather works within the grounds and in an area which is currently undeveloped but not landscaped in any way thereby reducing its appeal to wildlife. It appears therefore, that the proposed variation to the approved scheme will not adversely affect wildlife but an informative note can be placed on the permission highlighting the importance of the Wildlife 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.

Recommendation:

Grant with Conditions



Date: 23 February 2023