

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: Internal works to remove the Victorian brick fireplace and reveal the original fireplace behind (Protected Building)

LOCATION: The Shell House, Le Villocq Lane, Castel.

APPLICANT: Mr M Morgan & Ms M Semple-Piggot

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: 14/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/01/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Studio Otto:55 90 Rev1 & 55 220

Application Ref: FULL/2022/2243

Property Ref: D013530000

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.

Expiry Date: This permission will cease to have effect on 13/03/2026 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/2022/2243
Property Ref: D013530000
Valid date: 13/01/2023
Location: The Shell House Le Villocq Lane Castel Guernsey
Proposal: Internal works to remove the Victorian brick fireplace and reveal the original fireplace behind (Protected Building)

Applicant: Mr M Morgan & Ms M Semple-Piggot

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.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Shell House' is a two storey granite dwelling with parts dating to pre-1500 and the majority completed by the 1700's. The house is set back from and faces north onto Ruelle du Villocq, the road sweeps around the eastern boundary and meets Route de Cobo which runs along the southern boundary. There are neighbouring properties to the west and in all other directions across the roads. The property is located Outside of the Centres, and is within a Conservation Area as defined in the Island Development Plan. The property is a Protected Building.

Relevant History:

FULL/2021/0948 – Renovation, internal alterations and install rooflights to main dwelling, erect single storey extension to west (side) and east (side), excavate and erect retaining wall and glasshouse to south of dwelling (protected building) – Approved January 2022.

FULL/2013/2590 – Internal alterations to walls and chimney breasts – Approved October 2013.

FULL/2013/0404 – Alterations to roof lights and to internal layout – revised – Approved April 2013.

FULL/2011/2816 - Restore house including internal alteration and construct extension to rear with glazed link. Install swimming pool and associated landscaping works (revised access) – Approved April 2021.

Existing Use(s):

Residential use class 1: dwelling house.

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:

GP4 Conservation Areas

GP5 Protected Buildings
GP8: Design
GP13: Householder Development

Conclusion/Brief comment:

This application is for an internal change, to remove the Victorian brick inserted fireplace at the eastern end of the property and reveal the original stone fireplace behind.

The original stone fireplace is larger and would appear to suit the double height space as it was originally intended when the building was a hall house. It is possible that it dates to the first time the house was 'updated' by moving the hearth from the centre of the building to the gable end.

It is also possible that there is a very rare central window behind the fireplace, which can be seen from the outside. It was either a gable window from the hall house which was then blocked when they moved the hearth and built the fireplace, or it is a bread oven fuelled from the back of the hearth and projecting outside – which would be equally as rare.

Removing and restoring the original fireplace would help to identify exactly what the opening may have been.

The Victorian brick fireplace has been surveyed and the Structural Engineers advice is that it should be removed as it is not in very good condition. It is not tied into the wall behind and the steel strap has suffered significant corrosion, to the point it has de-laminated causing movement and destabilisation on the brickwork above.

The western end fireplace will preserve the Victorian brick insert as it is in much better condition, and would help to preserve that part of history in the building.

From the new information provided with this application it is noted that the Victorian fireplace should be removed because it is in bad condition and because the original fireplace behind could shed more light on the earlier history of the house.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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: 14/03/2023

