

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 replacement roof covering, install dormer window and rooflights to north (rear) elevation and alter dormer windows to south (front) elevation and internal alterations (Protected Building).

LOCATION: La Pouquelah, Route de Cobo, Castel.

APPLICANT: Mr & Mrs Ashby

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: 15/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/12/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Hunt Brewin: 16509.02.01a, 02a, 03a, 04, 05, 06

Application Ref: FULL/2022/2295

Property Ref: D013630000

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.Prior to the commencement of the internal works hereby permitted, where existing doors are to be removed/replaced or upgraded to achieve fire resistance, as identified on the approved plans, an Internal Door Schedule shall be submitted to and approved by the Authority. The Internal Door Schedule shall identify the age of each door, specify the works necessary to upgrade the fire resistance of the door(s) and details of any proposed replacement doors. The development shall be completed in accordance with the approved Internal Door Schedule.

This permission does not allow works to/the removal of existing doors, unless explicitly stated on the approved application drawings.

Reason: To ensure the special interest of the protected building is sustained.

5.Prior to the commencement of the internal works hereby permitted, where existing partitions need to be removed or upgraded as identified on the approved plans, an Internal Partitions Schedule shall be submitted to and approved by the Authority. The Partitions Schedule shall identify the age of each partition, any partition(s) to be removed, specify the works necessary to upgrade the fire resistance of the partition and details of any proposed replacement partitions. The development shall be completed in accordance with the approved Internal Partition Schedule.

This permission does not allow the removal of partition walls, unless explicitly stated on the approved application drawings.

Reason: to ensure the special interest of the protected building is sustained.

6. Notwithstanding the drawing note on drawing 16509.02.02a this permission does not infer planning permission for the replacement of windows and doors at first floor level.

Reason - For the avoidance of doubt.

Expiry Date: This permission will cease to have effect on 14/03/2026 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/2022/2295
Property Ref: D013630000
Valid date: 08/12/2022
Location: La Pouquelah Route de Cobo Castel Guernsey GY5 7XJ
Proposal: Install replacement roof covering, install dormer window and rooflights to north (rear) elevation and alter dormer windows to south (front) elevation and internal alterations (Protected Building).

Applicant: Mr & Mrs Ashby

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. Prior to the commencement of the internal works hereby permitted, where existing doors are to be removed/replaced or upgraded to achieve fire resistance, as identified on the approved plans, an Internal Door Schedule shall be submitted to and approved by the Authority. The Internal Door Schedule shall identify the age of each door, specify the works necessary to upgrade the fire resistance of the door(s) and details of any proposed replacement doors. The development shall be completed in accordance with the approved Internal Door Schedule.

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Reason: To ensure the special interest of the protected building is sustained.

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Reason: to ensure the special interest of the protected building is sustained.

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Reason - For the avoidance of doubt.

OFFICER'S REPORT

Brief Description of the site:

The site is located on Route de Cobo, adjacent to Saumarez Park, and accessed by La Pouquelah. The property is comprised of a large two storey Georgian farmhouse, with several outbuildings and barns within the site. The dwelling is a Protected Building and is located Outside the Centre as designated by the Island Development Plan (IDP).

The Protected Building notice includes the whole house, excluding the small single storey and two storey rear extensions.

Relevant History:

PRE/2022/2034 – Pre application advice sought regarding the possibility of repairs and alterations.

Existing Use(s):

01 – Residential dwellinghouse

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:

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

The proposed works to the dwelling are not considered to result in any harmful impacts to neighbouring properties.

It is considered that most of the proposed works will not have a substantial effect on the historic interest of the protected building and when considering the effect of all the works on the overall special interest, the effect on special interest is outweighed by the reasonable aspiration of the property owner. The statement of significance details the reuse of existing roof slates and proposes the refurbishment of existing timber windows which assist in ensuring the prevention of harm to the Protected Building.

The proposal relates to the installation of a new dormer window and rooflights to the rear at second floor level, and replacement dormer windows to the front elevation. The drawings do not include any replacement windows or doors at first floor level, and for this reason, the drawing note relating to replacement doors and windows on the first floor has been struck through (16509.02.02a) and is referenced in an associated planning condition.

The works include the creation of habitable accommodation at the loft level which is likely to create a Building Control requirement for the existing stair well to be a

protected stair. The submitted plans show that the existing ground and first floor doors are proposed to be upgraded, while at second floor level replacement doors are proposed to the bedrooms. The existing timber matchboard partition between the existing landing and the proposed bathroom is also proposed to be replaced with a new insulated timber stud wall. Further details of the works to the doors and partition are required by conditions 4 and 5.

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