

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: Erect vine house to east (side) elevation, install captain's dormer window and rooflights to north (rear), replace flat roof covering, re-rendering of walls, alter fenestration and internal alterations (protected building).

LOCATION: Les Portes, Les Portes, St. Sampson.

APPLICANT: Mr & Mrs A Brewer

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: 18/05/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 31/01/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Mark Frampton drawing no: 2022/642/04

Application Ref: FULL/2023/0138

Property Ref: B013660000

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 removal of the existing, large scale drawings (1:20 elevations; 1:5 sections) of all new and replacement doors and windows shall be submitted to and agreed in writing by the Authority, the development shall be carried out only in accordance with the agreed details.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

5.Prior to its insertion, large scale drawings (1:20 elevations; 1:5 sections) of the new dormer window shall be submitted to and agreed in writing by the Authority, the development shall be carried out only in accordance with the agreed details.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

6.Prior to its construction, large scale drawings (1:20 elevations; 1:5 sections) of the new vinehouse shall be submitted to and agreed in writing by the Authority, the development shall be carried out only in accordance with the agreed details.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

7.Any re-rendering or re-pointing of the interior or exterior of the building shall be undertaken using a lime-based mortar and the render bands at the top of the gables shall be replicated. Internal joinery shall be retained in situ.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

8.All new and replacement rooflights shall be fitted flush with the roof plane in which they are installed.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

9.During the insertion of the soil vent pipes, boxing shall be cut around and not through skirting boards and picture rails, which shall be retained intact.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

10.Notwithstanding the note on the hereby approved drawing 2022/642/04, no defective members of the rear lean-to roof timbers shall be removed without the written permission of the Authority, the development shall be carried out only in accordance with the agreed details.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

11.Details of any areas which require the application of 'Vandex' (or similar) waterproofing must be submitted and approved in writing by the Authority, the development shall be carried out only in accordance with the agreed details.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

12.Prior to any removal, details of the built in cupboard located within the ground floor bedroom (north-west room) and how the area will be refurbished shall be submitted to and agreed in writing by the Authority, the development shall be carried out only in accordance with the agreed details.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

Expiry Date: This permission will cease to have effect on 17/05/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

With regard to Condition 11, if any defective timber rafters are discovered in the lean-to roof, please contact one of our Conservation Officers by email - planning@gov.gg

Leadwork shall be installed in accordance with Lead Sheet Association instructions.

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/2023/0138
Property Ref: B013660000
Valid date: 31/01/2023
Location: Les Portes Les Portes St. Sampson Guernsey GY2 4GD
Proposal: Erect vine house to east (side) elevation, install captain's dormer window and rooflights to north (rear), replace flat roof covering, re-rendering of walls, alter fenestration and internal alterations (protected building).

Applicant: Mr & Mrs A Brewer

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.

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Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

7. Any re-rendering or re-pointing of the interior or exterior of the building shall be undertaken using a lime-based mortar and the render bands at the top of the gables shall be replicated. Internal joinery shall be retained in situ.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

8. All new and replacement rooflights shall be fitted flush with the roof plane in which they are installed.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

9. During the insertion of the soil vent pipes, boxing shall be cut around and not through skirting boards and picture rails, which shall be retained intact.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

10. Notwithstanding the note on the hereby approved drawing 2022/642/04, no defective members of the rear lean-to roof timbers shall be removed without the written permission of the Authority, the development shall be carried out only in accordance with the agreed details.

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Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

INFORMATIVES

With regard to Condition 11, if any defective timber rafters are discovered in the lean-to roof, please contact one of our Conservation Officers by email - planning@gov.gg

Leadwork shall be installed in accordance with Lead Sheet Association instructions.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Les Portes' is a two and a half storey detached traditional farmhouse which is set back from and faces south onto Les Portes. There are neighbouring detached properties to the east and west, a vinery across the road to the south and open land that was once a vinery to the north. Les Portes, and both

properties to the east and west are Protected Buildings. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2019/2429 – Demolish and rebuild chimneys on east and west gables (Protected Building) – Approved January 2020.

Existing Use(s):

Residential use class 1: dwelling house.

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:

GP5: Protected Buildings
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:

This application is to erect a vine house to the east elevation (on the same footprint where one once stood), install a second captains dormer window and rooflights to the north roof slope, replace the flat roof covering, re-render walls, alter the fenestration and some internal alterations.

Initially the application was deferred to allow further information to be submitted. A Statement of Significance has now been presented which provides sufficient information to assess the application.

The proposed erection of a vine house, installation of an additional dormer window, rooflights, a new door, re-rendering, installation of leadwork and external soil vent pipes would have a moderate effect on special interest, which would be outweighed by the reasonable aspirations of the property owners, subject to the provision of large scale details, provided that the render band to the top of the gables is replicated and all rendering is undertaken in lime-based mortar, and that rooflights are fitted flush to the roofslope. All leadwork should be installed in accordance with Lead Sheet Association instructions.

Replacement of the natural slate roof of the rear lean-to would comprise a reasonable aspiration that outweighs the harm to overall special interest. However it does remain the case that a vague note is attached to the application which could, if not resolved, result in wholesale removal of the roof timbers of the north lean-to part of the building. This can be dealt with by condition.

An explanation for the proposal to replace the timber floor of the proposed kitchen in concrete has been provided. Concerns remain that insertion of concrete would have a future adverse effect on that part of the building through limiting the breathability of the structure. However, the effect on overall special interest would be slight/moderate and the possibility of incurring damp problems to this limited area will be at the risk of the owner.

The internal alterations would otherwise have a slight/moderate impact on the special interest of the building, and would be acceptable, provided that the skirting boards and picture rails are retained intact.

Applying Vandex (or similar) in some areas and removal of the built-in cupboard in the north-west ground floor room of the main house were raised during a site visit. These alterations require planning permission, but are not included in the application. This shall be dealt with by condition.

In conclusion the proposals are considered to achieve a good standard of design, using materials which complement the existing materials. The scale and massing of the proposals are not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will they have any impact on either of the immediate neighbours or on the setting of the nearby protected buildings.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

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: 16/05/2023

