

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: Alter roof to create entrance to south elevation of glasshouse, install frame and roof to existing pigsty to create pool/plant room to the north of site, erect fencing/gates and alter landscaping. Demolish and rebuild part of roadside wall and alter garden vehicle access (Protected Building).

LOCATION: Le Marais Farm, Rue Du Marais, Castel.

APPLICANT: Mr & Mrs A Walters

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: 14/06/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/05/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd - 7698-01 B1, B2A, B3, B4A & B5.

Application Ref: FULL/2023/0664

Property Ref: D00412A000

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.No development shall begin on site until details of the hard surfacing materials have been 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.No development shall begin on site until details of the new walls hereby approved to the roadside, including the new gate pillars, and adjacent to the driveway, including details of the colour, texture and method of laying of the stone, have been 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 13/06/2026 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/2023/0664
Property Ref: D00412A000
Valid date: 12/05/2023
Location: Le Marais Farm Rue Du Marais Castel Guernsey GY5 7LE
Proposal: Alter roof to create entrance to south elevation of glasshouse, install frame and roof to existing pigsty to create pool/plant room to the north of site, erect fencing/gates and alter landscaping. Demolish and rebuild part of roadside wall and alter garden vehicle access (Protected Building).

Applicant: Mr & Mrs A Walters

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. No development shall begin on site until details of the hard surfacing materials have been 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. No development shall begin on site until details of the new walls hereby approved to the roadside, including the new gate pillars, and adjacent to the driveway, including details of the colour, texture and method of laying of the stone, have been 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.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Le Marais Farm' is an 18th century traditional two storey granite faced farmhouse which is set back from and faces south onto Rue du Marais. To the west is a track leading to a neighbour to the north with other neighbours beyond. Beyond the northern neighbour is a Site of Special Significance. To the east is open Agriculture Priority Area land which is also an Area of Biodiversity Importance and to the south across the road are other neighbours who are within the Agriculture Priority Area (APA). Le Marais Farm and the neighbour to the north are Protected Buildings. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation	X
accords with policy	X
within curtilage	X
design acceptable	X

visual amenity acceptable	X
no material neighbour impact	X
traffic not affected	X

Policies considered most relevant:

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

Conclusion/Brief comment:

This application is to alter part of the roof in the south elevation of the existing glasshouse to create a new entrance, install a timber frame and roof to the existing pigsty to create a pool/plant room to the north of the site (west of the glasshouse). Erect some fencing and gates and alter landscaping. Finally demolish and rebuild a section of roadside wall in front of the house and remodel the garden vehicular entrance by adding granite pillars and 1.8m high gates.

The installation of a swimming pool as shown would comprise exempt development and would not require planning permission.

None of the proposals will directly impact on the special interest of the protected building and, subject to appropriate detailing of the hardsurfacing and replacement wall, are considered to comply with policy GP5.

The addition of a new entrance to the glasshouse and the frame and roof over the pigsty are both considered to be appropriate additions and are considered good design. 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 impacts on either of the immediate neighbours.

Rebuilding the wall along the front of the property, replacing rendered block work with the same granite as the rest of the boundary wall, will create a consistent boundary, which is more traditional and relates well to the granite façade of the main dwelling. The new wall will enhance the contribution that the wall makes to the setting of the protected building.

Adding the pillars and gates to the garden vehicular entrance will also enhance the contribution made by the walls to the setting of the protected building. The house has a separate vehicular access for everyday use.

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: 13/06/2023

