

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: Extend and alter at ground floor level and second floor level and internal and fenestration alterations to main dwelling. Rebuild chimney, re-cover roof, install rooflights to west (rear) elevation, fenestration and internal alterations to barn to create dower unit (Protected Building).

LOCATION: La Moye Farm, Rocque Es Cas, Vale.

APPLICANT: Dr M Blyth & Mrs A Blyth

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: 11/10/2023

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

Drawing Nos: CCD Architects: 3709 PL-01, 02B, 03B, 04A, 05A

Application Ref: FULL/2023/0760

Property Ref: C000720000

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 and the replacement board to the opening in the west of the utility room shall be submitted for the written agreement of the Authority. Thereafter, the development shall be carried out in accordance with the agreed details and retained as such.

Reason: To preserve or enhance the character and appearance of the Protected Building.

5.Prior to installation, new bricks to be used in the replacement chimneys shall be agreed in writing with the Authority, and the development shall be carried out in accordance with the agreed details.

Reason: To preserve or enhance the character and appearance of the Protected Building.

6.The replacement chimney shall be rebuilt on a like for like basis utilising the existing bricks where possible, and shall be rebuilt to match exactly the precise detailing including chimneys pots of the existing chimney.

Reason: To preserve or enhance the character and appearance of the Protected Building.

7.Skirting boards in the main part of the house and architraves in the eastern ground floor room, hallway and south wall of the main bedroom of the house shall be carefully removed, retained and reinstated within six months of the insertion of wall linings.

Reason: To preserve or enhance important features within the Protected Building.

8. Prior to their removal from the cartshed, the position in which the timber hooks and fireplace, including surround and hearth, will be located as part of the approved works shall be agreed in writing with the Authority. These shall be carefully removed, retained and reinstated within six months of insertion of wall linings.

Reason: To preserve or enhance important features within the Protected Building.

9. Prior to their installation, details of the routes, position and external appearance of all new services, drains, vents and extractors shall be agreed in writing with the Authority. Thereafter, the development shall be carried out in accordance with the agreed details.

Reason: To preserve or enhance the character and appearance of the Protected Building.

10. Within 6 months of its removal, the final position within the yard of paving from beneath the new extension and from within the cartshed shall be agreed in writing with the Authority. Thereafter, the development shall be carried out in accordance with the agreed details.

Reason: To preserve or enhance the character and appearance of the Protected Building.

11. Rooflights hereby approved shall be fitted flush with the roof plane in which they are installed.

Reason: To preserve or enhance the character and appearance of the Protected Building.

12. No details of the proposed lead tray have been submitted with this planning application and the lead tray hereby approved in connection with the construction of a replacement chimney stack shall be constructed in accordance with the details set out by Lead Sheet Association.

Reason: To preserve or enhance the character and appearance of the Protected Building.

Expiry Date: This permission will cease to have effect on 10/10/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Should, following opening up works, any of the following be found to be necessary, then work should stop in that part of the building and advice should be sought from the Planning Service.

- Underpinning of the south west extension of the house;
- Rebuild of elements of internal chimney stacks of the house and/or cartshed;
- Replacement of roof timbers of the house;
- Alterations to ceilings of the house, including removal and/or upgrade for purposes of fire or acoustic protection;
- Removal of solid or timber floors of the house.

These works are not shown on the approved drawings and a full assessment of such works could not be and has not been carried out based on the information contained in this planning application. It may be necessary for a further application to be submitted and these works should not be undertaken prior to the written consent of the Development & Planning Authority having been given.

For the avoidance of doubt, the converted cartshed shall be used as an ancillary part of and incidental to the principal dwelling presently known as La Moye Farm. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

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/2023/0760
Property Ref: C000720000
Valid date: 05/05/2023
Location: La Moye Farm Rocque Es Cas Vale Guernsey GY3 5BP
Proposal: Extend and alter at ground floor level and second floor level and internal and fenestration alterations to main dwelling. Rebuild chimney, re-cover roof, install rooflights to west (rear) elevation, fenestration and internal alterations to barn to create dower unit (Protected Building).

Applicant: Dr M Blyth & Mrs A Blyth

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 removal of the existing, large scale drawings (1:20 elevations; 1:5 sections) of all new and replacement doors and windows and the replacement board to the opening in the west of the utility room shall be submitted for the written agreement of the Authority. Thereafter, the development shall be carried out in accordance with the agreed details and retained as such.

Reason: To preserve or enhance the character and appearance of the Protected Building.

5. Prior to installation, new bricks to be used in the replacement chimneys shall be agreed in writing with the Authority, and the development shall be carried out in accordance with the agreed details.

Reason: To preserve or enhance the character and appearance of the Protected Building.

6. The replacement chimney shall be rebuilt on a like for like basis utilising the existing bricks where possible, and shall be rebuilt to match exactly the precise detailing including chimneys pots of the existing chimney.

Reason: To preserve or enhance the character and appearance of the Protected Building.

7. Skirting boards in the main part of the house and architraves in the eastern ground floor room, hallway and south wall of the main bedroom of the house shall be carefully removed, retained and reinstated within six months of the insertion of wall linings.

Reason: To preserve or enhance important features within the Protected Building.

8. Prior to their removal from the cartshed, the position in which the timber hooks and fireplace, including surround and hearth, will be located as part of the approved works shall be agreed in writing with the Authority. These shall be carefully removed, retained and reinstated within six months of insertion of wall linings.

Reason: To preserve or enhance important features within the Protected Building.

9. Prior to their installation, details of the routes, position and external appearance of all new services, drains, vents and extractors shall be agreed in writing with the Authority. Thereafter, the development shall be carried out in accordance with the agreed details.

Reason: To preserve or enhance the character and appearance of the Protected Building.

10. Within 6 months of its removal, the final position within the yard of paving from beneath the new extension and from within the cartshed shall be agreed in writing with the Authority. Thereafter, the development shall be carried out in accordance with the agreed details.

Reason: To preserve or enhance the character and appearance of the Protected Building.

11. Rooflights hereby approved shall be fitted flush with the roof plane in which they are installed.

Reason: To preserve or enhance the character and appearance of the Protected Building.

12. No details of the proposed lead tray have been submitted with this planning application and the lead tray hereby approved in connection with the construction of a replacement chimney stack shall be constructed in accordance with the details set out by Lead Sheet Association.

Reason: To preserve or enhance the character and appearance of the Protected Building.

INFORMATIVES

Should, following opening up works, any of the following be found to be necessary, then work should stop in that part of the building and advice should be sought from the Planning Service.

- o Underpinning of the south west extension of the house;
- o Rebuild of elements of internal chimney stacks of the house and/or cartshed;
- o Replacement of roof timbers of the house;
- o Alterations to ceilings of the house, including removal and/or upgrade for purposes of fire or acoustic protection;
- o Removal of solid or timber floors of the house.

These works are not shown on the approved drawings and a full assessment of such works could not be and has not been carried out based on the information contained in this planning application. It may be necessary for a further application to be submitted and these works should not be undertaken prior to the written consent of the Development & Planning Authority having been given.

For the avoidance of doubt, the converted cartshed shall be used as an ancillary part of and incidental to the principal dwelling presently known as La Moye Farm. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

OFFICER'S REPORT

Brief Description of the site:

The site comprises of a Protected Building, located close to the junction of Rue de la Moye and Rocque es Cas. The existing dwelling is two storey with a detached cart shed located within the curtilage.

The site is located Outside the Centre as defined in the Island Development Plan (IDP).

The listing includes the whole of the house and cartshed, together with the roadside walls, gate pillars, mounting block and paving. The modern rear porch is excluded.

Relevant History:

N/A

Existing Use(s):

01 Dwelling houses

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 Building

GP8 – Design

GP9 – Sustainable Development

GP13 – Householder Development

Conclusion/Brief comment:

The proposed works include a single storey rear extension to the main dwelling, the rebuilding of the porch and introduction of a new stair access allowing for the conversion of the roof space including new dormer windows and rooflights.

The application has been deferred twice to allow for the submission of additional information to clarify some matters and some inconsistencies between the plans and written statements. Revised plans have also been submitted with earlier versions superseded.

The building is considered to be of high special interest, with a number of historic features.

The application was twice deferred regarding concerns regarding the removal of the staircase in the widows third due to its historic value, the re-roofing of the southern lean to and due to some small discrepancies between the plans and heritage statement, particularly with regards to replacement windows at the rear.

The revised plans clarified proposal and now retain the slate roofing and staircase in the widows third, covering the stairs over at first floor level, and the revised plans also confirmed that the rear windows will be timber double glazed sash windows to match.

An informative note which explains that should, by opening up parts of the building, additional work be required beyond what is shown in the approved plans, work should stop and advice be sought from the Planning Authority. As the approved plans take precedence, this is considered acceptable to prevent any unauthorised works, beyond the approved works, taking place.

The proposal to introduce a single storey extension, new porch and convert the roofspace within the main farmhouse, are considered to meet the requirements of Policy GP5 and the respect the special interest of the building and cart shed, subject to a number of relevant conditions, and the agreed retention of the staircase within the widows third.

The existing cart shed is to be refurbished and used as a dower unit for a dependant relative. The use of this domestic outbuilding for ancillary accommodation does not require planning permission, but the proposed works which better facilitate this use (including the introduction of new rooflights, replacement windows and a replacement chimney stack) do require permission and have been considered appropriate works in respect of the reasonable aspiration of the property owner and the impact on the special interest of the building.

Although the floor space of the dower unit is relatively generous, the relationship of the occupier of the dower unit and the principal dwelling, the nature of use and facilities to be shared (including front and rear gardens, parking and access) indicate that the additional accommodation would be subsidiary to and dependent upon the principal dwelling unit. In addition, the layout of the site, the close proximity and relationship between the principal dwelling and the outbuilding would not enable the site to be easily subdivided without compromising the amenity of both the outbuilding and the principal dwelling.

It is recommended that for the avoidance of any doubt an informative is included on any permission to ensure that the accommodation provided remains ancillary to the main dwellinghouse. Furthermore, not all of the land outlined in red on the application drawings is recognised as domestic curtilage for the property and it is recognised that an informative is included to this effect.

With regard to neighbouring amenity, the new first floor dormers and rooflights to the rear elevation of the dwelling and cart shed look down the application site's ample garden, with only views into neighbouring front gardens/access and driveways either at a distance or oblique angle, are likely. The works proposed are not considered to have a significant impact on neighbour amenity, or on the character of the area due to the appropriateness of the scale and design.

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: 11/10/2023

