

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: Variations to plans previously approved to Convert and alter existing dwelling into 5 flats, convert and alter outbuilding to create dwelling and erect 4 dwellings, (Protected Building) - Alter chimneys and rooflight, internal and roof alterations to main house, demolish and rebuild lean-to extension and fenestration alteration to Outbuilding/Barn A.

LOCATION: Les Bas Courtils, Les Bas Courtils Road, St. Sampson.

APPLICANT: Infinity Group

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: 08/08/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 05/06/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture Ltd: 2061-1/02.02A, /02.03A, /02.04A, /02.06A, /02.08A, /02.10A & /02.11A.

Application Ref: FULL/2023/0862

Property Ref: B000920000

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 on or before 08/01/2026.

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. The roofs hereby approved to be reconstructed shall be refinished using the existing slate or in a natural slate to match the existing.

Reason - To protect the special interest of the protected building.

5. The chimneys shall be reconstructed as shown on the approved plans reusing the existing bricks or in a brick to match the existing and the existing chimney pots shall be reinstated once the chimney has been reconstructed. If the existing pots cannot be reinstated, prior to installation of any new pots, details of the new pots shall be submitted to and approved in writing by the Authority. Only the approved pots shall be installed.

Reason - To protect the special interest of the protected building.

6. In relation to the internal joinery within the main house:

- i) Any internal joinery removed from its existing position shall not be destroyed or removed from site without the prior written permission of the Authority;
- ii) Any internal joinery removed from its original position shall be uniquely identified and stored on site in a safe and weather tight location;
- iii) Any internal joinery that is removed shall be reinstated to its original location, unless agreed in writing by the Authority;
- iv) Any replacement joinery shall be of the same material, profile and appearance as the original joinery, unless agreed in writing by the Authority.

Reason - To protect the special interest of the protected building.

7.The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 09/01/2023, issued under planning application reference FULL/2022/1429, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

Expiry Date: This permission will cease to have effect on 08/01/2026 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/2023/0862
Property Ref: B000920000
Valid date: 05/06/2023
Location: Les Bas Courtils Les Bas Courtils Road St. Sampson Guernsey GY2 4BP
Proposal: Variations to plans previously approved to Convert and alter existing dwelling into 5 flats, convert and alter outbuilding to create dwelling and erect 4 dwellings, (Protected Building) - Alter chimneys and rooflight, internal and roof alterations to main house, demolish and rebuild lean-to extension and fenestration alteration to Outbuilding/Barn A.

Applicant: Infinity Group

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 on or before 08/01/2026.

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).

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- iv) Any replacement joinery shall be of the same material, profile and appearance as the original joinery, unless agreed in writing by the Authority.

Reason - To protect the special interest of the protected building.

7. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 09/01/2023, issued under planning application reference FULL/2022/1429, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

OFFICER'S REPORT

Brief Description of the site:

The application site forms part of Les Bas Courtils Housing Allocation site, which is located on the north side of Les Bas Courtils Road, St Sampson. The eastern part of the site is currently under development for 13 dwellings, approval has been granted for the subdivision of the existing house, conversion of the adjacent barn (Barn A)

and erection of 4 dwellings to the north, and separate approval has been granted for conversion of the northern of the two barns (Barn B) to a dwellinghouse.

The whole of the house and outbuildings, together with the walls and railings enclosing the land adjacent to the road, form part of a Protected Building listing.

The whole of the allocated site is located within the Bridge Main Centre Outer Area, and the eastern part of the site, outside of the application site, falls within the Delancey Conservation Area under the Island Development Plan (IDP). The application site abuts Delancey Park (which is designated as Important Open Land and also contains an Area of Biodiversity Importance) to the north-east and Delancey Battery, a protected monument, is located within the park grounds. The site is flanked by residential properties to the east and west.

Relevant History:

FULL/2022/1429 Convert and alter existing dwelling into 5 flats, convert and alter outbuilding to create dwelling and erect 4 dwellings with associated landscaping and parking (Protected Building). Approved 09/01/2023

Existing Use(s):

Development site

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:

Island Development Plan

MC2 – Housing in Main Centres and Main Centre Outer Areas

GP5 – Protected Buildings

GP7 – Archaeological Remains

GP8 – Design

GP9 – Sustainable Development

Supplementary Planning Guidance

Les Bas Courtils Development Framework, April 2018

Conclusion/Brief comment:

The application seeks variations to the plans previously approved to convert and alter the existing dwelling into 5 flats and to convert and alter the outbuilding (Barn A) to create a dwelling as follows:

Main house

- Reduce chimney height for structural stability;
- Lead cladding to parapet and porch roof;
- Re-positioning of rooflight to rear roofslope;
- Reconstruct first floor and roof structure of wings;
- New floor structures at all levels;
- Internal alterations:
 - Ground floor:
 - Lining to all external walls
 - Existing fireplaces to be demolished/replaced
 - Doors to be removed and reused in new positions
 - First floor:
 - Lining to all external walls
 - Existing fireplaces to be demolished/replaced
 - Doors to be removed and reused in new positions
 - Second floor:
 - Alterations to landing

Barn A

- Demolish and rebuild lean-to extension, omitting rooflight;
- Alterations to windows (east elevation);
- Internal alterations:
 - Relocate WC at ground floor

The proposed alterations comprise changes to the detail of the works previously approved and would not alter the fundamentals of the approved scheme.

Although the proposed amendments would have a substantial effect on the overall special interest of the protected building, the works are necessary to address structural and rot issues with the building. Therefore the harm to the special interest of the protected building is outweighed by the reasonable aspirations of the property owner and comply with Policy GP5.

The amendments propose removal of internal joinery within the main house, which is necessary in order to address problems with rot. However, as currently noted on the drawings and supporting information, this could result in the wholesale removal of internal joinery without any check by the Authority. This can be resolved by condition.

The proposals would not have any adverse impact on the wider character of the area, or on the amenity of adjoining properties.

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

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: 07/08/2023