

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND SECTION 19 OF THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

PROPOSALS: Paint pebble dash facade to south (front) of property (Protected Building) (Retrospective).

LOCATION: Le Tertre, Tertre Lane, Vale.

APPLICANT: Mr N Hannah & Ms J Porritt

I refer to the application referred to below received as valid on 10/05/2023 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 03/11/2023

Drawing Nos: Block layout plan, photograph of painted façade (both date stamped 10th May 2023).

Application Ref: FULL/2023/0877

Property Ref: C011330000

The Development & Planning Authority has decided to refuse your application under the provisions of section 16 of the Land Planning and Development (Guernsey) Law, 2005 for the following reasons:-

1. The original pebbledash facade of the building made a significant positive contribution to the building's special character and appearance, and reflected the period of architecture when it was first constructed. By painting over the pebble-dash facade, the development is considered to have a significant detrimental effect on the overall special interest of the protected building. The proposal is contrary to Policy GP5 (Protected Buildings) of the Island Development Plan and the Law which seeks to preserve the special historic, architectural, traditional or other special characteristics of protected buildings.

OTHER REMARKS:-**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, against a decision to refuse an application for planning permission or outline planning permission to the Planning Tribunal on the merits. 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.

Copy of representations made

In reaching this decision the Development & Planning 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 to the Authority under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2023/0877
Property Ref: C011330000
Valid date: 10/05/2023
Location: Le Tertre Tertre Lane Vale Guernsey GY3 5QF
Proposal: Paint pebble dash facade to south (front) of property (Protected Building) (Retrospective).
Applicant: Mr N Hannah & Ms J Porritt

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The original pebbledash facade of the building made a significant positive contribution to the building's special character and appearance, and reflected the period of architecture when it was first constructed. By painting over the pebble-dash facade, the development is considered to have a significant detrimental effect on the overall special interest of the protected building. The proposal is contrary to Policy GP5 (Protected Buildings) of the Island Development Plan and the Law which seeks to preserve the special historic, architectural, traditional or other special characteristics of protected buildings.

OFFICER'S REPORT

Site Description:

The application site comprises a detached, 2.5 storey dwelling-house located to the north of Tertre Lane. The whole of Le Tertre, together with the roadside wall and gate, is a protected building.

The exterior façade is regarded as being of high value to the special character of the protected building.

Relevant History:

FULL/2016/2375	Demolish garage and erect single-storey side extension, demolish conservatory and erect single-storey orangery to side of dwelling. Demolish chimney, install four rooflights, replace flat roof, erect raised terrace with pergola over and alter fenestration to rear elevation. Resurface driveway to front of dwelling and install garden gate, install satellite dish to chimney stack and	Granted
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	relocate existing greenhouse to side/west of dwelling. (Protected Building)	
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Existing Use(s):

Residential

Brief Description of Development:

Retrospective permission is sought to paint the pebbledash façade on the south elevation. Painting of any part of a protected building which was previously unpainted requires planning permission.

As set out in the applicant's letter of 2nd May 2023, it was observed that the pebbledash façade had become unstable in places and therefore they had undertaken research on how to stabilise the façade in a manner which would be sympathetic to the building.

A mineral paint was advised by Keim which would be suited to Guernsey's climate. The fascia board was also replaced during this time as it was made of chipboard and had degraded over time. An exact machined copy was made using external marine grade timber. It is described that the works have protected the pebble-dash from further erosion and therefore has preserved its façade.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

GP5 Protected Buildings
GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Representations:

None received.

Consultations:

None.

Summary of Issues:

- Whether the alteration to the front of the property would have a detrimental effect on the special interest of the protected building.

Assessment against:

- 1 - Purposes of the law.
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.
- 3 - General material considerations set out in the General Provisions Ordinance.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

The principal Island Development Plan policy directly relevant to the assessment of the application in relation to the protected building is Policy GP5 (Protected Buildings).

Policy GP5 (protected buildings) states that proposals to extend or alter a protected building will be supported where the development does not have an adverse effect on the special interest of the particular protected building or its setting.

Furthermore, it is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting protected buildings, to secure so far as possible that the special historic, architectural, traditional or other special characteristics (including setting) are preserved.

Whilst the applicant had not contacted the Authority to discuss the alterations prior to carrying out the works the subject of this application, it is noted that previous correspondence about painting or lime washing the façade had taken place previously between the applicant and the Planning Service. The submission stated the opinion of the applicant that the paint will protect the pebbledash and that the alterations do not detract from the historical significance, as nothing has been removed.

It is understood that the former fascia board was in a deteriorating condition, and was formed of poor-quality materials. The replacement fascia board, comprised in marine grade timber, replicates the original decorative style and is considered to be a reasonable aspiration of the property owner. This alteration is considered to have a neutral effect on the special interest of the building. This aspect accords with Policy GP5.

However, the specialist advice of the Conservation and Design team has emphasised the importance of retaining exposed pebbledash to the façade of the house in providing comments on application FULL/2016/2375, as follows:

20/02/17 – “Contrary to the opinion of the applicants, the application of a lime wash to the pebbledash façade would represent a material change to the protected building. The frontage is of very high value and the application of a lime wash would be irreversible: a major impact resulting in a very large effect on the special interest of the building (BS 7913:2013). This is not supported.”

03/04/17 – “As with the previously proposed lime wash, the application of paint, whether breathable or otherwise, to the pebbledash façade would represent a material change to the protected building. The frontage is of very high value and the application of lime wash or paint would be irreversible. It remains the case that this is not supported.”

These comments were reflected in the Authority's deferral letters of 13/03/17 and 20/04/17. In response, the agent for the application stated in their letter of 27/04/2017 that the pebble-dash to the front elevation had now been noted as retained. Furthermore, notes relating to the treatment of the façade were subsequently removed from the plans so that other alterations could be approved. This position was also reflected in Condition 10 of the planning permission issued on 01/06/2017 under reference FULL/2016/2375 which required the south front facing elevation of the parapet wall to be pebble-dashed to match the external finishes on the front elevation of the main building.

The former unpainted pebble-dash façade is an authentic feature of a building of this age, and thus positively contributed to the architectural design of this Edwardian inspired property, constructed between 1898 and 1938. It is part of the special interest of the protected building. Covering over this feature through the application of paint, whether or not that paint is breathable, has compromised that special interest.

A fundamental and major material change has been made to the very high value façade resulting in a very significant negative impact on overall special interest. In this case, this is not outweighed by the reasonable aspirations of the property owner as set in Policy GP5.

Overall, the proposal would therefore be contrary to Policy GP5 (Protected Buildings) of the Island Development Plan. For the reasons set out above, it is recommended that planning permission is refused.

Date: 03/11/2023

