

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: Install/alter fenestration to north and west elevations and internal alterations (part retrospective) (Protected Building) (Revised Scheme).

LOCATION: Les Abreuveurs, Les Abreuveurs Road, St. Sampson.

APPLICANT: Mr & Mrs S Harty

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: 21/11/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/07/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 6251/C/3a & C/4a.

Application Ref: FULL/2023/1281

Property Ref: B014220000

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 the removal of any of the glazing from the west extension a specification or sample of the proposed cladding or render 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 - The information provided with the application does not include full details of the proposed feature. This condition is imposed to make sure that the work does not result in harm to the special interest of the Protected Building or the character and appearance of the locality.

5.The replacement external render shall be limed based and all external mouldings (doorcase, plinth, quoins, cills, cornice, lozenge and parapet features) must be retained as exposed features of the exterior of the building.

Reason - The external features contribute to the special interest of the Protected Building and the lime based external render is appropriate for use on a Protected Building in order to protect and preserve its special interest.

Expiry Date: This permission will cease to have effect on 20/11/2026 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/2023/1281
Property Ref: B014220000
Valid date: 12/07/2023
Location: Les Abreuveurs Les Abreuveurs Road St. Sampson Guernsey
GY2 4XB
Proposal: Install/alter fenestration to north and west elevations and
internal alterations (part retrospective) (Protected Building)
(Revised Scheme).
Applicant: Mr & Mrs S Harty

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 the removal of any of the glazing from the west extension a specification or sample of the proposed cladding or render 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 - The information provided with the application does not include full details of the proposed feature. This condition is imposed to make sure that the work does not result in harm to the special interest of the Protected Building or the character and appearance of the locality.

5. The replacement external render shall be limed based and all external mouldings (doorcase, plinth, quoins, cills, cornice, lozenge and parapet features) must be retained as exposed features of the exterior of the building.

Reason - The external features contribute to the special interest of the Protected Building and the lime based external render is appropriate for use on a Protected Building in order to protect and preserve its special interest.

OFFICER'S REPORT

Brief Description of the site:

Les Abreuveurs is a detached two and a half storey dwelling with 1/1 sliding sash windows, three dormer windows and a two-storey flat roof bay to the front. A decorative canopy exists above the front door along with quoin details to the corners of the building. A two-storey flat roof extension has been erected across the entire rear of the building which has PVCu windows installed. A pitched and flat roof single-storey side extension with large areas of glazing is situated to the west of the main house and was constructed between 1962 and 1974.

A detached, pitched roof garage building exists to the rear/north of the dwelling and is situated close to the rear of the main house.

The application relates to alterations to the large areas of glazing currently serving the single-storey extension to the west of the property with the partial infilling of windows/doors and the provision of cladding (shown on elevations) or render (shown on typical wall detail) below casement windows (timber or PVCu not explicit but description of double-glazed units implies PVCu). There is a discrepancy in the drawings between the floor plans and elevations (west elevation).

The scheme also proposes internal alterations to the Protected Building which include the erection of a partition wall to form a plant/boiler room within the utility room. At first floor level a new studwork wall is proposed to subdivide a bedroom from the hallway accessing the second-floor accommodation. At second floor a door

is proposed from the landing to the centre of the roofspace. The attic space is indicated to provide two bedrooms and a dressing room.

The scheme also proposes to upgrade the existing roof by introducing insulation between the rafters.

The application as originally submitted did, to some degree, consider the special interest of the Protected Building and the impact of works on that special interest however the statement has not been updated following the submission of revised plans to address unauthorised works to the building.

The site is located Outside of the Centres as designated in the Island Development Plan and the property is a Protected Building.

Relevant History:

FULL/2022/2076 - Install/alter fenestration to north and west elevations and internal alterations. (Protected Building) – refused (insufficient detail regarding insulation of attic floor nor regarding changes to west, attic stair)

Existing Use(s):

01 dwelling house

Although reference has been made to the use of the building as a House in Multiple Occupation there is no record of planning permission having been sought or granted for change of use and the recognised planning use of the building remains as a single 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:

Island Development Plan policies:

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

The single-storey extension to the west of the building was in situ by 1974 and is of low interest. The works to the extension represent a good standard of design that will not result in harm to the character and appearance of the locality or residential amenity in line with Policies GP8 and GP13 of the IDP. Given the drawing error and because the drawings do not clearly specify whether cladding or render would be applied to the single-storey extension it is reasonable, for the avoidance of doubt, to require confirmation and details to be provided.

The layout changes to the north extension and new front door (east elevation) are also considered to accord with the requirements of the IDP.

The removal of render for the purposes of remedying damp is a reasonable aspiration but the submission does not specify what the existing render is (lime or cementitious) nor what the replacement would be and how this would impact on detailing such as door cases, quoins, cills etc. In order to avoid damage to features of interest this matter must be controlled by condition to ensure compliance with the aims of the IDP.

Internally, retrospective permission is sought for the removal of render and for tanking to be carried out. Although some features would be lost taking a proportionate approach, in this case, the works would not have an unacceptable adverse impact and is considered reasonable so as to accord with Policy GP5. The ground floor walls that have been removed were modern partitions and so effect on overall special interest is negligible and in line with policy and the works to remove asbestos and upgrade of concrete floors would be reasonable aspirations of the property owner.

The insertion of a partition at first floor level door at second floor level will have a minor impact on the value of these parts of the interior of the Protected Building. The resultant effect on special interest would be neutral/slight. These works represent the reasonable aspirations of the property owner which outweigh the harm to overall special interest in accordance with Policy GP5.

The proposed first and second floor works are proposed in connection with enhancing the habitable use of the attic accommodation. These works to the interior of the building will enable better use of the space available offering more flexible accommodation that can respond to the needs of occupiers over time and this can be undertaken without harm to the fabric of the protected building having regard to Policy GP8 and Annex I of the IDP.

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.

In this case the cumulative effect of all the alterations on overall special interest would be outweighed by the reasonable aspiration of the property owner and it is recommended permission is granted subject to conditions.

Recommendation:

Grant with Conditions



Date: 20/11/2023