

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: Demolish extensions and part of glasshouse, extend and alter at ground floor level to south-east (rear) elevation, replace roof covering and internal alterations (Protected Building).

LOCATION: Le Pont, Rue Des Pres, St. Pierre Du Bois.

APPLICANT: Ms C Lenfestey

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: 14/02/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 14/08/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Paul Langlois Architects: 2280/04A, 10B, 11C & 12.

Application Ref: FULL/2023/1293

Property Ref: F012230000

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, detailed drawings and specifications showing the design and construction of all replacement doors and windows (at a scale of 1:20 for elevations and 1:5 sections) shall be provided to the Authority and agreed in writing. 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.

5.Prior to installation, details and specifications for the terrace any other hardstanding 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.

6.No details of the proposed leadwork installation have been submitted with this planning application and the lead coping hereby approved shall be installed in accordance with the details set out by Lead Sheet Association.

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

7.Skirting boards shall be carefully removed, retained and reinstated within four months of the insertion of wall linings.

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

8. Prior to their installation, details of the routes, position and external appearance of all new 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.

9. Notwithstanding the plans hereby approved, no consent is conferred for painting of the 'granite walls' (where these are not already painted) as suggested in the notes on drawing 2280/11C.

Reason: To preserve or enhance the character and appearance of the protected building.

Expiry Date: This permission will cease to have effect on 13/02/2027 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.

Replacement of the chimney stacks;
Alterations to the roof timbers of the house;
Alterations to ceiling trusses.
Replacement of the roof cladding;

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.

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building is located in an area where bats may be roosting and measures may therefore need to be taken (including inspection by qualified person, or consideration of the timing of the works) to ensure that any protected species present are not impacted by the works. It is recommended that you contact La Société Guernesaise for advice or to arrange a site visit. La Société can be contacted on 07781 166924 or email info@societe.org.gg.

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/2023/1293
Property Ref: F012230000
Valid date: 14/08/2023
Location: Le Pont Rue Des Pres St. Pierre Du Bois Guernsey GY7 9AQ
Proposal: Demolish extensions and part of glasshouse, extend and alter at ground floor level to south-east (rear) elevation, replace roof covering and internal alterations (Protected Building).

Applicant: Ms C Lenfestey

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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.

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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.

- Replacement of the chimney stacks;
- Alterations to the roof timbers of the house;
- Alterations to ceiling trusses.
- Replacement of the roof cladding;

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.

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OFFICER'S REPORT

Site Description:

The application site comprises a Protected Building close to the junction of Rue des Pres, Rue des Marches and Les Heches.

The site is also located Outside the Centre, and within the Agricultural Priority Area, and Conservation Area.

Relevant History:

FULL/2023/1294- Single storey extension to N.W. elevation, store to S.E elevation and alterations to fenestration of outbuilding – Approved 04/10/2023

PAPP/2008/0429 – Use of studio as ancillary accommodation - Approved 24/07/2008

Existing Use(s):

01 Dwellinghouse

Brief Description of Development:

The proposal is for the demolition of the existing conservatory extension and replacement with a new single storey extension to the rear (south east) elevation. The application also includes other alterations including the replacement of windows to the front elevation, installation of insulation to the roof, external waterproof render and some internal alterations.

The application also includes the demolition of part of the existing glasshouse, and the retention of a section.

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

GP4 – Conservation Area
GP5 – Protected Buildings
GP13- Householder Development
GP8 – Design
GP9 – Sustainable Development

Representations:

Three letters of representation from local neighbours have been received and summarised below:

- Concern regarding structural damage to attached neighbour,
- No legal consent has been obtained for works to party wall,
- No consultation with neighbours except for site notice
- Roof identified as leaking and in need of replacement, has not been repaired and so this is misleading.
- Proposed workshop will result in noise, disturbance and disruption. (Officer Note- this has now been removed from the plans)
- Demolition and construction works will be noisy and result in disturbance to neighbours.
- Impact on neighbouring light levels and views of greenspace.
- Impact on heating, views and potential moisture levels for neighbours.
- Impact on historic bread oven.
- The proposed Juliette balcony and two storey extension will result in harm to neighbouring privacy (Officer Note- the Juliette balcony and first floor extension has been removed from the plans)
- Loss of trees, shrubs and vegetation and resultant impact on neighbours.

One letter of representation was received on behalf of La Société Guernesiaise which highlights that buildings of this type can be used by roosting bats and other wildlife particularly when the property is located within a variable landscape with habitats such as farmland or woodland nearby. La Société Guernesiaise recommend that the building is inspected for current or recent use by bats and other wildlife by a suitably qualified person prior to any demolition works to reduce the risk of disturbing or destroying animals which are protected under the Animal Welfare Ordinance 2012. La Société Guernesiaise recommend that it would also be beneficial to include measures to support roosting bats and nesting birds.

Consultations:

N/A

Summary of Issues:

- Principle of development
- Impact on Protected Building
- Impact on neighbouring amenity
- Other matters

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).**

Principle of Development:

The principle of the development is acceptable under Policy GP13 which allows alterations and extensions to dwellings, subject to there being no harm to neighbour amenity, the appropriateness of the development in the landscape and in relation to character, and also there being no adverse impact on the special interest of a protected building.

Impact on Protected Building and Conservation Area:

The original submission was for a two-storey rear extension and included the demolition of the entire existing glasshouse and erection of a new garage/workshop. The application has been deferred to allow for the submission of revised plans to address the concerns raised by Conservation and Design, and neighbours were reconsulted following the revised plans.

The whole of Le Point is a protected building, the modern conservatory and adjacent lean-to, along with detached outbuildings are not protected. The building is

considered to be generally of high special interest, with a number of historic features.

The application was deferred following concerns regarding the demolition of the rear extension and well-head, use of timber cladding, proposed replacement uPVC windows and removal of the ceiling and resultant loss of historic roof timbers. Additional information was also requested regarding the proposed roof insulation, additional joists, proposed tanking of the ground floor and raising the floor level within the extension.

The revised plans clarified and amended the proposal, by proposing a single storey rear extension, use of replacement timber windows and addressed all the points raised above.

The proposal to introduce a single storey extension, works to the roof and other internal alterations are considered to meet the requirements of Policy GP5 and GP4 and they respect the special interest of the building and Conservation Area, subject to a number of relevant conditions.

The historic bread oven is on the neighbouring property and will not be harmfully affected by the proposed development.

Impact on neighbour amenity:

The proposed development has been amended to a single storey extension, which is unlikely to result in any overlooking due to the design and scale. Additional/adapted windows to the rear elevation at first floor are unlikely to harm amenity as the window closest to the shared boundary is obscure glazed and views are screened by the lean-to roof of the rear extension. The rooflights of the lean-to may allow some views from the rear first floor windows but this is likely to be limited.

The extension proposed is formed by a mono pitch extension off the lean-to, and has a maximum height of 4.2m at the rear. The entire extension is 9m deep and is set approx 4m away from the shared boundary with the neighbours. This separation distance in combination with the orientation of the extension to the north west of the neighbour is considered sufficient to prevent any significant harm to neighbours in terms of overshadowing or shading.

Other matters:

The extension is located to the rear of the dwelling and is unlikely to have a significant impact on the character of the area of landscape setting. The proposed replacement windows will be visible from the streetscene and will replace the existing windows which are considered as detractors, being poor quality replacements, the proposal will in this respect, enhance the dwelling and character of the Conservation Area.

Concerns raised in relation to possible effects on structural integrity, foundations, and works to the party walls, are private civil matters between the parties concerned and not material planning considerations which would influence a decision on this planning application.

With regards to disturbance during construction, due to the scale of the development, the size of the site and its relationship with the surrounding area, the proposal does not necessitate further controls and are likely to be short term impacts only.

Loss of shrubs, trees and vegetation as a result of the development is noted, however, there are no protected trees on the site and there are no IDP policies to prevent the loss or to formally require replanting.

To address the comments raised on behalf of La Société Guernesiaise, it is recommended that a note is attached to the decision notice to make the applicant aware of the potential issues with disturbing animals which are protected under the Animal Welfare Ordinance 2012.

The application is considered acceptable in relation to the relevant policies and approval is recommended.

Date: 09/02/2024

