

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: Erect single storey extension and porch to south (rear) elevation, install rooflight to north (front), internal, fenestration and cladding alterations. Erect outbuilding/shed to west of dwelling and widen vehicle access. (Protected Building).

LOCATION: Le Rocher, Rue Du Rocher, Torteval.

APPLICANT: Mr & Mrs C D & L J Eyton-Jones

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: 18/04/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 26/09/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: g2a Architecture: 2841-01/B1, /B2, /B3a, /B4a & /B5a.

Application Ref: FULL/2023/1604

Property Ref: G004000000

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 installation of any new cladding, a sample or details of the type, texture and colour of the cladding material(s) to be used shall be submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

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

5.Prior to the installation of any new windows or doors, details of the design, materials of construction and finish of those windows and doors, to scale of 1:20 with sections at 1:5, shall be submitted to and agreed in writing by the Authority. The works shall be carried out only in accordance with the agreed details.

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

6.Prior to installation of any new vents or extractors, details of the position and external appearance of those vents and extractors 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 - To protect the special interest of the protected building.

7.Prior to the laying of the external paving hereby approved, a specification or sample of the proposed paving and the pattern of laying 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 - To protect the special interest of the protected building.

8. Within four weeks of the existing access being extended, the end of the extended opening shall be finished off using materials and a method of construction which match the remainder of the wall, and the existing upright stone pillar shall be reinstated.

Reason - To secure the satisfactory appearance of the completed development.

9. The rooflights hereby approved shall be fitted flush with the roof plane in which they are installed.

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

Expiry Date: This permission will cease to have effect on 18/04/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, the accommodation hereby approved is to be used as an integral part of and incidental to the principal dwelling presently known as Le Rocher. 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.

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the dwelling presently known as Le Rocher.

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/2023/1604
Property Ref: G004000000
Valid date: 26/09/2023
Location: Le Rocher Rue Du Rocher Torteval Guernsey GY8 0PQ
Proposal: Erect single storey extension and porch to south (rear) elevation, install rooflight to north (front), internal, fenestration and cladding alterations. Erect outbuilding/shed to west of dwelling and widen vehicle access. (Protected Building).

Applicant: Mr & Mrs C D & L J Eyton-Jones

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.

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INFORMATIVES

For the avoidance of doubt, the accommodation hereby approved is to be used as an integral part of and incidental to the principal dwelling presently known as Le Rocher. 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.

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the dwelling presently known as Le Rocher.

OFFICER'S REPORT

Brief Description of the site:

Le Rocher, the application property, comprises a mid- to late-seventeenth century farmhouse and later barns. The property is set on rising land, above residential properties located to the south-east and further to the north and north-east. The Rue du Rocher wraps around part of the east, north and west boundaries of the site.

The whole of Le Rocher, together with the outbuildings, roadside wall, cobbles and pump, is a protected building. The pig sties and greenhouse bases are not included.

The site is located Outside of the Centres and within an Agriculture Priority Area in the Island Development Plan.

Relevant History:

None relevant.

Existing Use(s):

Residential Use Class 1
Agricultural Use Class 28

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:

GP5 Protected Buildings
GP8 Design
GP9 Sustainable Development
GP13 Householder Development
IP9 Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

The application proposes to form a dower unit within the attached barn, undertaking the following works to that structure:

- Reduce ground levels to front and side, and underpin building in those locations;
- Erect single storey extension to south (rear) elevation, re-opening existing doorway and blocking window into main house and altering window to door into dower unit;
- Install rooflight to north (front);
- Alterations to fenestration;
- Alterations to cladding;
- Internal alterations.

In addition it is proposed to:

- Replace porch to south (rear) elevation of dwelling;
- Erect outbuilding/shed for boiler/hot water cylinder to west of dwelling;
- Widen vehicle access to 3m, paving driveway in granite.

The proposed dower unit is attached to the main house, and would include an internal linking door at ground floor level. The proposed accommodation is to be occupied by family member/s, and facilities such as storage and laundry facilities and garden areas would be communal. All utilities would be shared and meals would be taken with the occupants of the main house. The proposed accommodation would therefore be demonstrably ancillary to the existing dwelling.

A document purporting to be a Statement of Significance has been provided, although that document does not apportion value, impact or effect on special interest. The value of the relevant elements of the building has however been assessed against the magnitude of impact of the works, in accordance with BS 7913:2013, and it is found that the works proposed are a reasonable aspiration of the property owner, that outweighs any harm to the building, subject to conditions requiring:

- Details of all new windows and doors;
- Details of cladding;
- Details of vents and extractors;
- Details of paving;
- Rooflights to be flush fitting.

The existing oil tank, whilst built against rising land to the north and west, is visible from the adjacent highway, and does not enhance the setting of the building or character of the area. The proposed plant building would also be visible, however would be of limited size and simple form, and would offer some screening to the tank.

Vehicular access to the front of the property is existing, but of limited width. The proposed increase in width would be limited and would improve the functionality of the access without significant harm to the character of the area or the setting of the protected building. A condition should however be attached to any permission issued to ensure the end of the extended opening are finished to match the existing, reinstating the existing upright stone.

Replacement of the porch to the rear of the dwelling would have no adverse impacts.

The property is set away from nearby residential property, with the exception of one dwellinghouse to the south-east, and the proposals would not impact on the amenity of surrounding residential property.

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: 17/04/2024