

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: Re-roofing of dwelling house with slate (Protected Building).

LOCATION: Haut Regard, Hougue St. Clair, Route De St. Clair, St. Sampson.

APPLICANT: Mr M Dorey

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: 14/03/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/01/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: 1:500 scaled block plan and photographs showing front and rear elevations of the property (all date stamped received 15/12/2023)

Application Ref: FULL/2023/2459

Property Ref: B007090000

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.The existing roof slates laid on the front (west) and rear (east) roof slopes of the property which form the subject of this permission shall be carefully removed and set aside during the course of the works and the best of these shall be reinstated once works have been completed, on the front (western) roof slope of the building.

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

5.Prior to their installation, a specification or sample of the replacement Spanish roof slates required for the rear (east) facing elevation shall be submitted to and approved in writing by the Authority and the rear (east) facing elevation only shall thereafter be recovered in accordance with the approved details.

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

Expiry Date: This permission will cease to have effect on 14/03/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Should a greater number of slates and/or ridge tiles require replacement than anticipated as part of the application submission, then the Authority must be contacted in the first instance to confirm the requirement for any further permissions.

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/2023/2459
Property Ref: B007090000
Valid date: 16/01/2024
Location: Haut Regard Hougue St. Clair Route De St. Clair St. Sampson
Guernsey GY2 4DT
Proposal: Re-roofing of dwelling house with slate (Protected Building).
Applicant: Mr M Dorey

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. The existing roof slates laid on the front (west) and rear (east) roof slopes of the property which form the subject of this permission shall be carefully removed and set

aside during the course of the works and the best of these shall be reinstated once works have been completed, on the front (western) roof slope of the building.

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

5. Prior to their installation, a specification or sample of the replacement Spanish roof slates required for the rear (east) facing elevation shall be submitted to and approved in writing by the Authority and the rear (east) facing elevation only shall thereafter be recovered in accordance with the approved details.

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

INFORMATIVES

Should a greater number of slates and/or ridge tiles require replacement than anticipated as part of the application submission, then the Authority must be contacted in the first instance to confirm the requirement for any further permissions.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a detached dwelling situated to the east of Route St. Clair and to the south of Hougue St. Clair. The site is situated Outside of the Centres as designated in the Island Development Plan.

The whole of the property (interior and exterior) together with the roadside wall and gate are protected.

Relevant History:

FULL/2017/1357	Replace porch roof with solid roof to rear of property (protected building)	Granted 13/07/2017
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Existing Use(s):

Residential

Assessment: *(Tick as appropriate)*

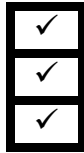
no representation



visual amenity acceptable



accords with policy
within curtilage
design acceptable



no material neighbour impact
traffic not affected



Policies considered most relevant:

GP5: Protected Buildings
GP8: Design
GP9: Sustainable development
GP13: Householder development

Conclusion/Brief comment:

Planning permission was initially sought to remove and replace the existing roof slates in their entirety and to install internal roof felt and insulation. As part of the initial application no information was provided to demonstrate the current condition of the roof slates and whether they could be retained and reused. The application was deferred for confirmation/further information regarding this.

Following deferral, the applicant (through his agent) has agreed to carefully remove all existing slates and reuse the best of these on the front (west) facing elevation and to replace those on the rear (east) elevation with Spanish slates to match the original dwelling as close as possible.

The existing ridge tiles to the front of the dormers and the main roof of the property will also be carefully removed, cleaned and re-used.

The proposed approach (which can be controlled by condition) will ensure that the special character and interest of the protected building and particularly the front elevation is retained. The effect on the overall special interest of the protected building would be moderate, which is outweighed by the reasonable aspirations of the property owner and therefore the proposal is considered to conform with Policy GP5 of the IDP.

The proposal would not cause harm to the amenities of any nearby residential properties or on the overall visual amenity of the surrounding area.

Confirmation has been received that the development proposed 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.

For the above reasons the proposal complies with the relevant policies of the IDP and it is recommended that planning permission be granted.

Recommendation:

Grant with Conditions



Date: 12/03/2024

