

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 cladding and door to south-west gable to outbuilding.
(Protected Building).

LOCATION: Les Vardes Farm, Route De Port Grat, St. Sampson.

APPLICANT: Mr & Mrs P Stenner

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: 20/02/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/01/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: 2314/1.

Application Ref: FULL/2024/0097

Property Ref: B019640000

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.No materials to be used on the exterior of the buildings shall be placed on the site until such time as samples of:

a) composite cladding;

b) the timber to be used in the construction of the approved doors; and

c) rainwater goods

have been submitted to the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the development.

Reason - To preserve the special interest of the Protected Building.

5.Prior to the commencement of any work in connection therewith details of the joinery and construction (including 1:5 sections) 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 door which are necessary to protect the special interest of the Protected Building.

Expiry Date: This permission will cease to have effect on 19/02/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

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 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 Guernesiaise 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/2024/0097
Property Ref: B019640000
Valid date: 15/01/2024
Location: Les Vardes Farm Route De Port Grat St. Sampson Guernsey
GY2 4TB
Proposal: Install cladding and door to south-west gable to outbuilding.
(Protected Building).

Applicant: Mr & Mrs P Stenner

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. No materials to be used on the exterior of the buildings shall be placed on the site until such time as samples of:

a) composite cladding;

b) the timber to be used in the construction of the approved doors; and

c) rainwater goods

have been submitted to the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the development.

Reason - To preserve the special interest of the Protected Building.

5. Prior to the commencement of any work in connection therewith details of the joinery and construction (including 1:5 sections) 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 door which are necessary to protect the special interest of the Protected Building.

INFORMATIVES

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 consideration of the timing of the works) to ensure that any protected species present are not impacted by the works.

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OFFICER'S REPORT

Brief Description of the site:

The building forms part of a complex of buildings situated behind roadside frontage development to Route de Port Grat. The building has a painted granite exterior and pitched roof covered with a corrugated covering (possibly asbestos). The southern gable end is partially open at ground floor level with boards and corrugated sheeting used to infill the apex above the opening.

The application relates to the installation of cladding and a door to the southwest elevation along with the installation of external rainwater goods throughout.

The covering letter that accompanies the submission seeks to address the special interest of the building and its setting.

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

The exterior of the house and the exterior of the outbuildings, attached to the house and detached, together with the circular trough, the monolithic gate posts, the roadside and garden walls are Protected. The south wing, the west wings and the lean-to glasshouse/shed and the glasshouse are excluded from the listing.

Relevant History:

None.

Existing Use(s):

Currently Vacant – previous use of Les Vardes Farmhouse was as a hotel/guesthouse. Use of outbuildings may have been for agricultural or storage purposes associated with the hotel/guesthouse

Assessment: *(Tick as appropriate)*

no representation

x
x
x

accords with policy

within curtilage

design acceptable

visual amenity acceptable

no material neighbour impact

traffic not affected

x
x
x

Policies considered most relevant:

Island Development Plan policies:

OC5(A): Agriculture Outside of the Centres – within the Agriculture Priority Areas

OC8(A): Visitor Accommodation Outside of the Centres - New, Extension, Alteration or Redevelopment of Existing Uses

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

Representation:

One letter has been received commenting on the application and raising the following points:

- This site looks to be a prime location for roosting bats

- The results of bat surveys that should be conducted (in line with animal welfare law), will be interesting
- The animal welfare law prohibits knowingly destroying or damaging bat roots or giving permission for someone else to do

Conclusion/Brief comment:

The alterations proposed accord with both Policies OC5(A) and OC8(A) of the IDP.

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.

The existing gable materials are of no value and detract from the special interest of the building and setting of others on the site. The submission highlights the difficulties of maintaining other types of cladding in this exposed coastal location and therefore proposes a composite cladding for the entire southern gable and to introduce accoya doors. The cladding and doors face into the application site and are not highly visible in the wider area. The proposed cladding and doors represent a good standard of design that respects the character of the building and locality. The works will not have an adverse impact on residential amenity (GP8 and GP9). The works represent the reasonable aspiration of the property owners that respects the special interest of the Protected Building in line with Policy GP5.

The internal works to the building do not require planning permission as the exterior only is protected.

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 site is not located in a designated area such as Area of Biodiversity Importance or Site of Special Significance. The comments and concerns relating to bats and wildlife are noted and it would be reasonable to include an informative note relating to the Wildlife Ordinance and the responsibility of owners/site operatives in relation to this matter.

In view of the above it is recommended permission is granted for the proposed works.

Recommendation:

Grant with Conditions



Date: 20/02/2024

