

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, erect single storey link extension to west elevation, demolish section of wall to create doorways/access through derelict barn to west of property (Protected Building).

LOCATION: Le Vieux Moulin, Rue A L'Or, St. Saviour.

APPLICANT: Mr & Mrs M L P Brock

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: 04/07/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/02/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Corbeau - bro-001/02B, /03B, /05B & /07A.

Application Ref: FULL/2024/0259

Property Ref: E007380000

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 construction, full details of the specification for the timber cladding and shingles shall be submitted to and agreed in writing by the Authority. The agreed works shall thereafter be fully implemented

Reason - to ensure the approved timber cladding is appropriate in order to preserve the special interest of the protected building.

5.Prior to construction, the means by which the extension would be attached to the cottage and outbuilding/ruin, at an appropriate scale, shall be submitted to and agreed in writing by the Authority. The agreed works shall thereafter be fully implemented.

Reason - to ensure the detailing of the fixing is appropriate in order to preserve the special interest of the protected building.

6.Prior to installation, full details of the landscaping scheme, including tree and hedge planting, noting the species, sizes, numbers and densities of plants, and hard surfacing and change in ground levels, shall be submitted to and agreed in writing by the Development & Planning Authority. The agreed works shall thereafter be fully implemented.

Reason - To ensure that the soft and hard landscaping scheme is appropriate in order to preserve the special interest of the protected building and in the interests of visual amenity given its close proximity to a public footpath.

7.The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition. The soft landscaping (trees/hedges) shall be carried out in the first planting season following the approved extension being brought into first use, or in accordance with a programme previously agreed in writing

by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting, shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To ensure that the planting scheme is carried out in a suitable timeframe to assimilate the development into surroundings in the interest of visual amenity.

Expiry Date: This permission will cease to have effect on 04/07/2027 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/2024/0259
Property Ref: E007380000
Valid date: 07/02/2024
Location: Le Vieux Moulin Rue A L'Or St. Saviour Guernsey GY7 9XS
Proposal: Demolish extensions, erect single storey link extension to west elevation, demolish section of wall to create doorways/access through derelict barn to west of property (Protected Building).

Applicant: Mr & Mrs M L P Brock

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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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.

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Reason - To ensure that the soft and hard landscaping scheme is appropriate in order to preserve the special interest of the protected building and in the interests of visual amenity given its close proximity to a public footpath.

7. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition. The soft landscaping (trees/hedges) shall be carried out in the first planting season following the approved extension being brought into first use, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting, shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To ensure that the planting scheme is carried out in a suitable timeframe to assimilate the development into surroundings in the interest of visual amenity.

OFFICER'S REPORT

Brief Description of the site:

The whole of Le Vieux Moulin, together with the garden wall, stone steps, paving and ruin, is a protected building. The modern flat roofed extensions and the garden

shed are excluded. The property is located Outside of the Centres and within an Agriculture Priority Area as designated in the Island Development Plan.

Planning permission is sought to demolish extensions and erect a single storey pitched roof link extension to the west of the main house, and demolish a section of wall to create doorways and access within the derelict barn/outbuilding to the west of the property

Pre-application advice (PREA/2022/1449) was provided to the agent which advised to maintain views of the barn and to make limited alterations in order to link the extension to the main building, and to refine the appearance of the north-facing window.

The application was deferred as concerns were raised broadly in relation to the siting, scale, form and materiality of the extension, together with detailing of the gable ends, and alterations to the derelict barn.

Relevant History:

PREA/2022/1449	Demolish extensions and erect single storey extension (Protected Building).	Granted
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Existing Use(s):

Residential

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:

GP5 Protected Buildings
GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Conclusion/Brief comment:

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.

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. This duty is reflected in Policy GP5 of the IDP.

The agent has satisfactorily demonstrated an understanding of the significance of the building in accordance with Policy GP5.

The proposed extension is located between the main house and the outbuilding/ruin to the west. In light of the amendments secured, the extension is considered to achieve a high standard of design for the purposes of Policy GP5 and GP8. By virtue of its siting together with its scale, mass and form, the proposal is appropriate to the original buildings, in a way that is sympathetic and respectful to the building's setting.

Repositioning of the extension in the manner now proposed serves to mitigate former concerns. It is noted that moving the extension southward decreases the amount of stonework of the main cottage exposed to the south of the extension although when balancing against other improvements made, the proposal is considered to preserve the special interest of the building on the whole. The proposal complies with Policy GP5.

Moreover, a simpler form of detailing to the north and south elevations of the proposed extension has been achieved and is able to be supported, and evidence of the former openings within the outbuilding/ruin would now be retained.

It is however reasonable to attach planning conditions to the decision to ensure that the finer more intricate details of the design can be fully considered including the fixing between the extension and the main house, and the outbuilding/ruin, as well as soft and hard landscaping details, due to the ambiguity on the drawings submitted and to assimilate the development into its surroundings. Full details of the timber cladding should also be requested.

The proposed extension is also visible from public vantage points, from close-up views in and around the application site, to further more distant views from the Reservoir and to the north of the dwelling along Rue A'Lor. Despite being visible from various viewpoints, the proposed extension has been carefully designed that is subservient to the original farmhouse and adopts traditional design principles, such as its form and material palate, whilst adopting more modern design details such as the timber cladding and fenestration. The overall effect will ensure that the proposed addition will be 'read' cohesively with the main house and outbuilding/ruin and thus will have a limited visual effect.

Due to its position and relationship to surrounding properties, the proposal will not adversely affect the amenities of neighbouring residents.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 04/07/24

