

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: Variations to plans previously approved to convert and alter dwelling into 5 flats, convert and alter outbuildings to create dwelling and erect 4 dwellings, (Protected Building) - install replacement roof covering and re-render wall of main building (part-retrospective).

LOCATION: Les Bas Courtils, Les Bas Courtils Road, St. Sampson.

APPLICANT: Infinity Group

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: 21/08/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 19/03/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture Ltd - 206-1 02.01D, 02.08E; Image of Welsh Grey Slate

Application Ref: FULL/2024/0475

Property Ref: B000920000

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 on or before 08/01/2026.

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 permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 09/01/2023, issued under planning application reference FULL/2022/1429, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

Expiry Date: This permission will cease to have effect on 08/01/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

It is recommended that a mineral paint is used to paint the lime render hereby approved to ensure permeability of the walls. Other paints may cause moisture and damp in the walls, affecting both the fabric and the interior of the building.

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/2024/0475
Property Ref: B000920000
Valid date: 19/03/2024
Location: Les Bas Courtils Les Bas Courtils Road St. Sampson Guernsey GY2 4BP
Proposal: Variations to plans previously approved to convert and alter dwelling into 5 flats, convert and alter outbuildings to create dwelling and erect 4 dwellings, (Protected Building) - install replacement roof covering and re-render wall of main building (part-retrospective).
Applicant: Infinity Group

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 on or before 08/01/2026.

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 permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 09/01/2023, issued under planning application reference FULL/2022/1429, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

INFORMATIVES

It is recommended that a mineral paint is used to paint the lime render hereby approved to ensure permeability of the walls. Other paints may cause moisture and damp in the walls, affecting both the fabric and the interior of the building.

OFFICER'S REPORT

Brief Description of the site:

The application site forms part of Les Bas Courtils Housing Allocation site, which is located on the north side of Les Bas Courtils Road, St Sampson. The eastern part of the site has been developed for 13 dwellings, approval has been granted for the subdivision of the existing house, conversion of the adjacent barn (Barn A) and erection of 4 dwellings to the north, and separate approval has been granted for conversion of the northern of the two barns (Barn B) to a dwellinghouse.

The whole of the house and outbuildings, together with the walls and railings enclosing the land adjacent to the road, form part of a Protected Building listing.

The whole of the allocated site is located within the Bridge Main Centre Outer Area, and the eastern part of the site, outside of the application site, falls within the Delancey Conservation Area under the Island Development Plan (IDP). The application site abuts Delancey Park (which is designated as Important Open Land and also contains an Area of Biodiversity Importance) to the north-east and Delancey Battery, a protected monument, is located within the park grounds. The site is flanked by residential properties to the east and west.

Relevant History:

FULL/2022/1429 Convert and alter existing dwelling into 5 flats, convert and alter outbuilding to create dwelling and erect 4 dwellings with associated landscaping and parking (Protected Building). Approved 09/01/2023

Existing Use(s):

Development site

Assessment: *(Tick as appropriate)*

no representation	X
accords with policy	X
within curtilage	X
design acceptable	X

visual amenity acceptable	X
no material neighbour impact	X
traffic not affected	X

Policies considered most relevant:

Island Development Plan

MC2 – Housing in Main Centres and Main Centre Outer Areas

GP5 – Protected Buildings

GP8 – Design

GP9 – Sustainable Development

Supplementary Planning Guidance

Les Bas Courtils Development Framework, April 2018

Conclusion/Brief comment:

The application seeks variations to the plans previously approved to convert and alter the existing dwelling into 5 flats, including wholesale removal of render to the walls and replacement of the roof covering with grey Welsh slate. It is noted that the existing render has been removed and in this regard the application is retrospective. The render was however cement based and removal would be beneficial to the building, provided that it is replaced appropriately.

Initially it was proposed to re-render the building in sand-cement render, to match the existing render. Such render is however found to be incompatible with the construction of older buildings, introducing an impermeable layer which prevents evaporation of water from within the walls and results in damp issues. Following deferral, the replacement render has been amended to a lime-based render system which would be appropriate to the age and construction of the building.

The replacement of the slates as proposed would be appropriate.

The amended proposals would not therefore have any adverse impact on the special interest of the protected building and would accord with the purpose of the Law, material considerations and relevant planning policies. Consequently it is recommended that the application be approved.

Recommendation:

Grant with Conditions

X

Date: 21/08/2023

