

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: Variation to previously approved plans to convert barn to dower unit. Extend at ground and first floor level to north (rear) elevation. Demolish and rebuild chimneys and re-roof, install rooflights, flue, fenestration, render and internal alterations (Protected Building) - Install window to south elevation and alterations to fenestration.

LOCATION: L'Epinel, Rue De L'Epinel, Forest.

APPLICANT: Mr & Mrs C Torode

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: 29/05/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/04/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton Associates - 1967/04.01D, .02H, .05E, .06E. 1967/06.03, 04. 05

Application Ref: FULL/2024/0655

Property Ref: H002940000+H00294A000

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 by 23/06/2024.

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 variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 24/06/2021, issued under planning application reference FULL/2020/2559, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

Expiry Date: This permission will cease to have effect on 23/06/2024 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/2024/0655
Property Ref: H002940000+H00294A000
Valid date: 16/04/2024
Location: L'Epinel Rue De L'Epinel Forest Guernsey GY8 0HJ
Proposal: Variation to previously approved plans to convert barn to dower unit. Extend at ground and first floor level to north (rear) elevation. Demolish and rebuild chimneys and re-roof, install rooflights, flue, fenestration, render and internal alterations (Protected Building) - Install window to south elevation and alterations to fenestration.

Applicant: Mr & Mrs C Torode

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 by 23/06/2024.

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 variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 24/06/2021, issued under planning application reference FULL/2020/2559, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

OFFICER'S REPORT

Brief Description of the site:

The site comprises a detached property situated to the north of La Rue De L'Epinel. The property comprises a mid 19th century Victorian renovation, extension and part rebuild (eastern gable end) of a single storey house and barn which has surviving elements dating back to 1620-40. The 19th Century house is less rare but still authentic, but the barn and the underlying fabric of the of the earlier single storey cottage together with the surviving features are of historical importance. The whole of the house, the attached barn, together with the roadside garden walls, mounting block and pillar are protected. The rear in-fill extension containing a porch bathroom and all of the other outbuildings on site including the stables and glasshouses are excluded.

The site is situated Outside of the Centres as designated in the Island Development Plan. Surrounding the site the area comprises residential properties to the east, fields to the west (with residential properties beyond) an industrial unit to the south and a school/residential properties to the north.

Relevant History:

FULL/2023/0284	Replace existing roof structure to east of property (Protected Building) (Part Retrospective)	Granted 12/04/2023
FULL/2022/2180	Variation to previously approved plans to convert barn to dower unit. Extend at ground and first floor level to north (rear) elevation. Demolish and rebuild chimneys and re-roof, install rooflights and flue, fenestration, render and internal alterations. Erect garage to east of dwelling and create additional vehicular access (Protected Building) - Rebuild wall to rear, alter roof form of extension to flat roof with rooflight to rear, install additional rooflights, internal and fenestration alterations.	Granted 03/01/2023
FULL/2020/2559	Convert barn to dower unit. Extend at ground and first floor level to north (rear) elevation. Demolish and rebuild chimneys and re-roof, install rooflights and flue, fenestration, render and internal alterations. Erect garage to east of dwelling and create additional vehicular access. (Protected Building).	Granted 24/06/2021

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:

The barn the subject of this application is protected and represents an early 17th Century building of high/very high special interest. Many of the features of the building, including some of the windows and window frames are of particular historic interest.

As initially proposed planning permission was sought to install a new window in the south elevation and to replace existing fenestration and window frames within the barn with modern replacements. Following a full assessment of the proposal the installation of the new window was deemed to be acceptable. However, the replacement of some of the windows and frames (in particular W-G01 and W-G03) with modern replacements was not acceptable as these are of particular historic importance.

The application was deferred and revised plans and additional information has been submitted to address the concerns raised. Information has been provided to demonstrate that the windows and frames were beyond repair with replacement being the only feasible option. The revised plans show that the windows and frames for W-G01 and W-G03, will be replaced precisely on a like for like basis, as a facsimile of the same dimensions and detail, (including the joints used, the chamfers and the oak material), with the only difference being the introduction of stops (to make the windows draft free) and a hardwood drip at the head of the window to take water away from the face of the casements. The additional features on the windows and frames represent a reasonable aspiration of the property owner. The alterations to all other windows are acceptable and overall as revised, the proposal will respect the original character and special interests of the protected building in accordance with policy GP5 and GP8 of the IDP.

The proposal will improve the thermal efficiency of the building and 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 Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 29/05/2024

