

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: Reconstruct external walls and roof and alterations to fenestration to barn/outbuilding to south of property (Site of Protected Building).

LOCATION: La Porte, La Grande Lande, St. Saviour.

APPLICANT: Mrs E Rihoy

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: 12/07/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/06/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne: A2422-01 &03

Application Ref: FULL/2024/0985

Property Ref: E006230000

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 stone to be used in the construction of the new works hereby permitted shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone.

Reason - To secure the satisfactory appearance of the completed development in accordance with Policy GP8 and to protected the setting of the nearby protected building in accordance with Policy GP5.

Expiry Date: This permission will cease to have effect on 12/07/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, once works have been completed the barn/outbuilding (however named) shall only be used as an integral part of and incidental to the principal dwelling presently known as La Porte. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

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/2024/0985
Property Ref: E006230000
Valid date: 13/06/2024
Location: La Porte La Grande Lande St. Saviour Guernsey GY7 9YZ
Proposal: Reconstruct external walls and roof and alterations to fenestration to barn/outbuilding to south of property (Site of Protected Building).

Applicant: Mrs E Rihoy

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 stone to be used in the construction of the new works hereby permitted shall

match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone.

Reason - To secure the satisfactory appearance of the completed development in accordance with Policy GP8 and to protect the setting of the nearby protected building in accordance with Policy GP5.

INFORMATIVES

For the avoidance of doubt, once works have been completed the barn/outbuilding (however named) shall only be used as an integral part of and incidental to the principal dwelling presently known as La Porte. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a residential property with detached outbuilding/barn situated to the east of La Grande Lande. The whole of the main building (interior and exterior) is protected. A protected monument (the Parish boundary water trough) is situated at the entrance point into the site.

The outbuilding/barn is currently in a state of disrepair following damage resulting from a recent storm. Planning permission is sought to reconstruct the external walls and roof of the barn and for alterations to the fenestration, to restore it to its original condition.

Relevant History:

None relevant.

Existing Use(s):

Residential

Assessment: *(Tick as appropriate)*

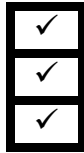
no representation



visual amenity acceptable



accords with policy
within curtilage
design acceptable



no material neighbour impact
traffic not affected



Policies considered most relevant:

GP5: Protected Building (setting)
GP6: Protected Monument (setting)
GP8: Design
GP9: Sustainable development
GP13: Householder development

Conclusion/Brief comment:

Although situated within the grounds of a protected building, the barn the subject of this application is not itself protected. That said, situated within circa 5m from the main dwelling, the proposal needs to be assessed and needs to ensure that as a result of the works no harm would be caused to the setting of the nearby protected building.

The building in its current state detracts from the setting of the protected building. The alterations proposed will ensure that this building is repaired in an appropriate manner using high quality traditional materials and construction techniques to match the remainder of the barn and the nearby protected building. The proposal would therefore improve the setting of the protected building and would not detract from it. The scheme complies with Policies GP5 and GP8 in this respect.

The barn is situated circa 60m from the protected monument and, situated behind the existing house, will be unseen from it and would therefore not affect its setting in accordance with Policy GP6.

Once the works have been completed the barn will form an ancillary residential building to be used by the occupiers of the main dwelling as a store. It would therefore not harm the residential amenities of the occupiers of the main dwelling. It is recommended however, that if planning permission is granted, an informative is included to advise the applicant of this.

The nearest neighbouring property is situated circa 110m to the south and at this distance the works proposed would not harm the residential amenity afforded to its occupiers.

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.

No alterations are proposed to the vehicle access point, and the works proposed would not affect or increase the need for additional parking. The proposal would not cause harm to highway safety.

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: 12/07/2024

