

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 window to south-west (front) elevation, install replacement roof covering and rooflights, internal and fenestration alterations (Protected Building).

LOCATION: Le Groignet, Rue a L'Eau, Kings Mills, Castel.

APPLICANT: Mr M Martin

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: 22/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 29/07/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Drawings4u - 212078.SK.02 and.03

Application Ref: FULL/2024/1215

Property Ref: D002810000

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. Details of any new/replacement slates and ridge tiles to be used in the development shall be submitted to the Authority. Only those 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 and in the interests of visual amenity.

5. Prior to the commencement of any work in connection therewith:
a) large scale drawings (1:20 elevations and 1:5 sections) of all new and replacement external doors and windows; and
b) details of the position and external appearance of all new vents and extracts 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 feature(s). This condition is imposed to make sure that the works do not have an adverse impact on the special interest of the protected building and in the interests of visual amenity.

6. The rooflights hereby approved shall be fitted flush with the roof plane in which they are installed.

Reason - To make sure that the works do not have an adverse impact on the special interest of the protected building and in the interests of visual amenity.

7. For the avoidance of doubt, this permission does not relate to the wholesale replacement of the roof structure.

Reason - The application does not include sufficient information to demonstrate that the replacement roof structure is appropriate and would not result in harm to the special interest of the protected building.

Expiry Date: This permission will cease to have effect on 22/10/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Following opening up works, should strengthening of the roof be deemed necessary, further discussion with the Authority must be had.

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/2024/1215
Property Ref: D002810000
Valid date: 29/07/2024
Location: Le Groignet Rue a L'Eau Kings Mills Kings Mills Castel Guernsey
GY5 7AL
Proposal: Install window to south-west (front) elevation, install
replacement roof covering and rooflights, internal and
fenestration alterations (Protected Building).
Applicant: Mr M Martin

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. Details of any new/replacement slates and ridge tiles to be used in the development shall be submitted to the Authority. Only those 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 and in the interests of visual amenity.

5. Prior to the commencement of any work in connection therewith:

a) large scale drawings (1:20 elevations and 1:5 sections) of all new and replacement external doors and windows; and

b) details of the position and external appearance of all new vents and extracts 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 feature(s). This condition is imposed to make sure that the works do not have an adverse impact on the special interest of the protected building and in the interests of visual amenity.

6. The rooflights hereby approved shall be fitted flush with the roof plane in which they are installed.

Reason - To make sure that the works do not have an adverse impact on the special interest of the protected building and in the interests of visual amenity.

7. For the avoidance of doubt, this permission does not relate to the wholesale replacement of the roof structure.

Reason - The application does not include sufficient information to demonstrate that the replacement roof structure is appropriate and would not result in harm to the special interest of the protected building.

INFORMATIVES

Following opening up works, should strengthening of the roof be deemed necessary, further discussion with the Authority must be had.

OFFICER'S REPORT

Brief Description:

The application relates to alterations to the northwest, single-storey extension and proposes alterations to the window openings in the northwest and southwest

elevations. The application correspondence and description of development on the application form also refer to the replacement roof covering along with the insertion of two rooflights. The drawings however, refer to the reuse of existing slates and hip tiles if they are in good condition. Internal works are proposed to this part of the building including the removal of a fireplace, replacement of the stone floor with timber, alterations to the ceiling associated with insulating and the insertion of rooflights and reconfiguration of the internal layout.

The application has been accompanied by a Statement of Significance and a Finishes Schedule.

There are unclear notes on the drawings: the Finishes Schedule refers to either reuse or replacement of the roof slates and ridge tiles; a note on the section drawing refers to checking the existing roof structure and strengthening it if necessary.

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

Relevant History:

The curtilage for the property was defined by the Planning Service in 2023.

Existing Use(s):

01 dwellinghouse
28 agriculture

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

x
x
x
x

visual amenity acceptable
no material neighbour impact
traffic not affected

x
x
x

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.

Although there has been some confusion regarding the retention and reuse or replacement of the existing slates to the roof of the 1960s part of the protected building there is enough information at the disposal of the Planning Service to assess this matter more fully even though the removal and replacement of the slates has not been fully justified, under Policy GP5, as part of this submission.

The removal and reuse of the existing slates and ridge tiles would be welcomed by the Planning Service however, it is considered that their replacement, subject to details of the replacement having been first agreed in writing by the Authority, would not have an unacceptable adverse impact on the special interest of the Protected Building (including the setting of the main house).

The following works are considered to represent a reasonable aspiration that would outweigh the harm caused to the special interest of the protected building:

- New window (Southwest elevation)
- Alter window openings and replace windows
- Two roof lights
- Lead soakers, flashing and bell drip
- Remove fireplace and chimney breast
- Reconfigure internal layout (partitions and openings, replacement doors, frames and architraves)
- Alterations to ceiling to insulate and ventilation, install ceiling battens/lining with timber beam effect to create lightwells

There is a note on the section drawing regarding assessing the roof structure and strengthening “if necessary” and such work, if approved, could result in the wholesale replacement of the roof structure without full assessment by the Planning Service. It is reasonable to impose a planning condition to address matter. A separate application may be required in future if the roof structure requires strengthening or replacement.

The application is acceptable in relation to the above policies and other material planning considerations.

Recommendation:

Grant with Conditions



Date: 21/10/2024

