

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: Re-cladding of north and south elevations, alterations to fenestration (all elevations), demolish and erect garage to east elevation of domestic outbuilding.

LOCATION: Les Vaurioufs, Les Vaurioufs Road, St. Martin.

APPLICANT: Mr & Mrs D Wellings

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: 19/09/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 31/07/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Hunt Brewin - 17187.02.01a, 02, 03a, 04,

Application Ref: FULL/2024/1329

Property Ref: J006210000

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 composite cladding to be installed on the existing outbuilding and the proposed garage shall be of Millboard Envello Shadow Line composite horizontal boarding (smoked oak colour), unless an alternative material and/or finish is first agreed in writing by the Authority.

Reason - The ground floor plan drawing submitted (ref: 17187.02.01a) shows that shows that Millboard Envello Shadow Line composite horizontal boarding (smoked oak colour) is to be installed on the existing outbuilding, whereas the material and finish to be installed on the proposed garage is not specified. It is therefore required that the cladding material is the same to respect; the special character of the protected building and its setting, visual amenity, and to secure an acceptable cohesive design (Policy GP8 - Design).

Expiry Date: This permission will cease to have effect on 19/09/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the proposed garage to be used only for purposes incidental to the enjoyment of the dwelling house, unless in accordance with a use permitted under the Land Planning and Development (Exemptions) Ordinance, 2023 or any other Ordinance replacing or re-enacting that Ordinance.

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/2024/1329
Property Ref: J006210000
Valid date: 31/07/2024
Location: Les Vaurioufs Les Vaurioufs Road St. Martin Guernsey GY4 6TB
Proposal: Re-cladding of north and south elevations, alterations to fenestration (all elevations), demolish and erect garage to east elevation of domestic outbuilding.
Applicant: Mr & Mrs D Wellings

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 composite cladding to be installed on the existing outbuilding and the proposed garage shall be of Millboard Envello Shadow Line composite horizontal boarding (smoked oak colour), unless an alternative material and/or finish is first agreed in writing by the Authority.

Reason - The ground floor plan drawing submitted (ref: 17187.02.01a) shows that shows that Millboard Envello Shadow Line composite horizontal boarding (smoked oak colour) is to be installed on the existing outbuilding, whereas the material and finish to be installed on the proposed garage is not specified. It is therefore required that the cladding material is the same to respect; the special character of the protected building and its setting, visual amenity, and to secure an acceptable cohesive design (Policy GP8 - Design).

INFORMATIVES

For the avoidance of doubt, this decision permits the proposed garage to be used only for purposes incidental to the enjoyment of the dwelling house, unless in accordance with a use permitted under the Land Planning and Development (Exemptions) Ordinance, 2023 or any other Ordinance replacing or re-enacting that Ordinance.

OFFICER’S REPORT

Brief Description of the site:

The application site comprises a large detached protected building located towards the north-west corner of the site, on a large plot, bounded by Les Quatre Vents to the north and Les Vaurioufs to the west. The property is served by a detached outbuilding to the north, which is also protected.

The outbuilding has been subject to numerous planning applications over the years.

Planning permission is sought to re-clad the north and south elevations of the outbuilding, alter the fenestration, and erect a garage to the east elevation of the outbuilding/garden store. The first floor of the outbuilding will serve as a kitchenette, bedroom, living room and bathroom. The existing living room on the ground floor will serve as a sunroom and a larger shower room will be created.

Relevant History:

PREA/2024/0773	Alteration to existing outbuilding windows and doors, construct garage, supply condensing unit	Pre-application enquiry
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FULL/2017/2946	Change of use of first floor of outbuilding to use as a Home Based Business (use class 5) (Retrospective) (Protected Building)	Granted
PAPP/1994/0652	Refurbish outbuilding to provide ancillary domestic accommodation	Granted

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 existing outbuilding is clad in uPVC which currently detracts from the protected building. Whilst concerns would ordinarily be raised with regards to installing composite cladding on a protected building, it is considered that the replacement cladding material would have a neutral effect on the overall special interest of the protected building when weighed up against the existing material, and taking into account the reasonable aspirations of the property owner (Policy GP5/GP13). On this basis, the replacement cladding material is acceptable.

The proposed alterations would have a limited effect on the fabric of the protected building. The increased size of the apertures on the south elevation of the

outbuilding would result in a degree of harm to the special interest, however when balanced against the reasonable aspirations of the property owner together with the extent of alterations in the past; this aspect of the works is acceptable under Policy GP5. The replacement windows and doors in timber is also supported.

The proposed garage adopts a high standard of design by virtue of its scale, form, massing, siting and materials for the purposes of Policy GP8. Due to its position, design and subservient nature, the proposal will not have a detrimental impact on the protected building or its setting, character of the area, visual amenity, or the amenities of neighbouring residents. The use of composite cladding on the proposed garage is acceptable in this instance.

Whilst not shown on the drawings submitted, the proposed position of the garage will result in the loss of an existing tree and landscaping. However, due to the limited contribution that the tree and landscaping make to visual amenity in the street scene in this case, it is not considered reasonable to require replacement tree elsewhere on site.

Overall, the proposal is considered to have a limited effect on the special interest of the protected building, and negligible effect on the character of the area, visual amenity and 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: 17/09/24

