

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: Demolish section of existing outbuilding and alterations to fenestration, erect external steps and associated works. (Protected Building).

LOCATION: Les Vieux Mielles, Les Mielles Road, Vale.

APPLICANT: Yellow Bear Limited

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: 02/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/08/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: MAT Ltd: 23-274-08A.

Application Ref: FULL/2024/1382

Property Ref: C016570000

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 gable end of the truncated building shall be made good in accordance with the approved plans within 6 months of the demolition of the remainder of the building.

Reason - To ensure that the building is made good in a timely manner, in the interests of the special interest of the protected building.

5.Prior to the laying of the patio finish, details of that finish 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 features. This condition is imposed to make sure that the building is of satisfactory design and does not have any adverse impact on the setting of the protected building.

Expiry Date: This permission will cease to have effect on 02/10/2027 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/2024/1382
Property Ref: C016570000
Valid date: 09/08/2024
Location: Les Vieux Mielles Les Mielles Road Vale Guernsey GY3 5AU
Proposal: Demolish section of existing outbuilding and alterations to fenestration, erect external steps and associated works. (Protected Building).

Applicant: Yellow Bear Limited

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 gable end of the truncated building shall be made good in accordance with the

approved plans within 6 months of the demolition of the remainder of the building.

Reason - To ensure that the building is made good in a timely manner, in the interests of the special interest of the protected building.

5. Prior to the laying of the patio finish, details of that finish 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 features. This condition is imposed to make sure that the building is of satisfactory design and does not have any adverse impact on the setting of the protected building.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Les Vieux Mielles' is a pre-1900's two and a half storey pitched roof detached dwelling which is set back from and faces north onto Les Mielles Road. There are two detached neighbouring properties to the west, and further residential properties to the east beyond the agricultural land which forms part of the same ownership. The agricultural land in the same ownership also extends to the south and L'Ancrese Common, a Site of Special Significance, is located across the road to the north. The property is located Outside of the Centres as defined in the Island Development Plan. The property is also a Protected Building.

Relevant History:

FULL/2023/1463 - Demolish extension, erect single storey extension to south (rear) elevation and install doors to east (side) elevation (Protected Building) – Approved October 2023.

Existing Use(s):

Residential use class 1: dwelling house.

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:

GP4: Conservation Areas
GP5: Protected Buildings
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:

This application is to demolish just over half of an existing outbuilding, including some alterations to the remaining fenestration and to erect some external steps to a new patio on the footprint of the removed outbuilding.

The outbuilding subject of this application, and part of the listing, appears to be of an early 20th century design, and was likely used as a packing shed when there were glasshouses on site. It is therefore not deemed as important as some of the other outbuildings on site. The structure does not detract from the special interest of the main building, but neither will a reduction in the scale of the building. The special interest of the protected building will remain intact.

The proposal will demolish about half of the building to bring it in line with the swimming pool enclosure (to the south) and the existing gateway to the north. The remaining part of the building will be used for storage and the existing concrete floor of the building will be re-paved and used as a patio with new external steps leading to it from the garden.

The fenestration of the new gable end of the outbuilding would be similar to that of the original packing shed. Initially a deferral had requested cladding across the gable, but the agents argument that the render will match the back of the property and would not be seen from any public view points, has alleviated previous concerns.

The proposals are not considered to have a detrimental effect on the character and amenity of the surrounding conservation area, or the special interest of the protected building, nor will it have any impact on any of the immediate neighbours.

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.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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: 01/10/2024

