

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: Erect two storey extension to east (rear) elevation and single storey extension to north (side) elevation, replace roof covering and re-render walls, demolish chimney and alterations to fenestration (Protected Building) (Revised Scheme).

LOCATION: Roselea, Ronde Cheminee, St. Sampson.

APPLICANT: Saltpan Properties Ltd

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 29/08/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP Architecture: 3189-DR-002C, 100C, 110C, 200D, 201D, 202D, 203C, VS-900C (section only).

Application Ref: FULL/2024/1398

Property Ref: B008120000

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. a) Prior to removal of the existing door (west elevation), large scale drawings (1:20 elevations; 1:5 sections) of the new timber panel shall be submitted to and agreed in writing by the Authority; and

b) Prior to the commencement of any work in connection therewith details of the hardstanding for the parking area, decked area and access path shall be submitted to and approved in writing by the Authority.

The works 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 in order to preserve the special interest of the protected building and character and appearance of the locality.

5. Written details and a finished sample of the timber cladding proposed to be used in the development hereby permitted shall be submitted to and agreed in writing by the Authority before any such timber cladding is brought onto the site or installed on the building. The agreed finish shall be applied within 28 days of the cladding being installed.

Reason - To preserve the special interest of the protected building and the character and appearance of the locality.

6. In accordance with the approved plans, the existing purple slates shall be reused, with priority given to reuse on the west roofslope and details of the new natural slate to be used for the extension hereby approved 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 character and appearance of the locality.

7. Prior to the commencement of any work in connection therewith details of the means by which the approved single-storey extension will be attached to the existing dwelling 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 preserve the special interest of the protected building and the character and appearance of the locality.

8. The boundary fencing and hedges shown on the approved plans shall be planted/erected prior to the extension being first brought into use.

Reason - In the interests of residential amenity.

9. No details of the proposed lead tray have been submitted with this planning application and the lead tray hereby approved in connection with the construction of a replacement chimney stack shall be constructed in accordance with the details set out by Lead Sheet Association.

Reason - To secure the satisfactory appearance of the completed development in order to preserve 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:-

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/2024/1398
Property Ref: B008120000
Valid date: 29/08/2024
Location: Roselea Ronde Cheminee St. Sampson Guernsey GY2 4NX
Proposal: Erect two storey extension to east (rear) elevation and single storey extension to north (side) elevation, replace roof covering and re-render walls, demolish chimney and alterations to fenestration (Protected Building) (Revised Scheme).

Applicant: Saltpan Properties Ltd

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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).

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b) Prior to the commencement of any work in connection therewith details of the hardstanding for the parking area, decked area and access path shall be submitted to and approved in writing by the Authority.

The works 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 in order to preserve the special interest of the protected building and character and appearance of the locality.

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Reason - To secure the satisfactory appearance of the completed development in order to preserve the special interest of the Protected Building.

OFFICER'S REPORT

Brief Description of the site:

Roselea is a two-storey end of terrace property with a painted exterior and slate roof. It forms part of a terrace of traditional two storey buildings. It fronts onto a wider area of Ronde Cheminee. There is more modern development to the north and south. Vehicular access to the site is to the north of the dwelling and the roadside boundary is marked by a high granite wall behind which is an attached outbuilding.

The property is a Protected Building and the site is in a Main Centre as designated in the Island Development Plan. The adjoining house to the south is also a protected building. That building dates to the 14th century and is of very high special interest.

The existing property is modest in size with open plan accommodation on the ground floor and a single bedroom and bathroom at first floor level.

The application relates to the erection of a single-storey flat roof extension to the side/north of the dwelling and the construction of a two-storey, slate pitched roof extension to the rear/east in order to accommodate a new open plan living area in the single-storey extension, enabling the ground floor of the existing property to be utilised for a bedroom and new staircase whilst the two-storey extension would contain a shower room and utility on the ground floor and bathroom and cupboard on the first floor. The scheme proposes to strip the existing paint covering and the existing chimney stack is to be removed and replaced. The exterior of the extensions would be primarily rendered but also incorporate an element of timber cladding.

The scheme also relates to the resurfacing/reconfiguration of the parking area north of Roselea which serves the application property and its attached neighbour. A hedge is proposed adjacent to the parking area and timber fencing around the garden to provide security and privacy whilst introducing an access gate and path to the mid-terrace property. The existing roadside wall, attached to the dwelling, is proposed to be demolished and replaced to match existing.

A Statement of Significance has been provided along with an amended Structural Engineer's report. The Statement of Significance does not tie up with the drawings, for example, the document refers to the application of insulating render to the north, gable wall, however, this has been omitted from the drawings.

Relevant History:

FULL/2023/1413 - Erect two-storey extension to east (rear) elevation and single storey extension to north (side) elevation, demolish chimney and alteration to fenestration. (Protected Building) - refused

FULL/2024/0425 - Erect two storey extension to east (rear) elevation and single storey extension to north (side) elevation, demolish chimney and alteration to fenestration (Protected Building) (revised scheme) – refused (partial demolition of the Protected Building without sufficient/appropriate justification and inappropriate cladding to the north elevation.

Existing Use(s):

01 dwellinghouse

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:

Island Development Plan policies:

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

The following works are considered to represent a reasonable aspiration of the property owner in accordance with Policy GP5:

- Demolish non-protected shed
- Erection of a single-storey flat roof extension including a new opening for stairs
- Re-slating the existing roof, re-using existing purple slates
- Demolish and rebuild chimney stack with leadwork

- Replace front door (west elevation) with a timber window (reuse W4) with timber panel below
- Create new window opening and insert timber window (reuse W2) in first floor (north elevation)
- Paving, gravel and decking
- Timber fencing (east and south and to divide the garden from the parking area)
- Demolish and replace roadside wall
- Remove Kenitex, strip back to stonework and repoint in lime
- Remove internal features (fireplace openings to be retained and poor condition stove to be removed)

The application no longer proposes the removal of the whole rear wall, the amount of demolition has been reduced and the existing roof structure is shown to be retained beneath the new. As per the previous application, two of the three (likely 19th Century) windows are shown to be reused elsewhere. Internally, the scheme proposes to remove all internal partitions and stairs, including sections of the ceiling, in order for the building configuration to be changed. These together, combine to represent the partial demolition of this Protected Building when considering Policy GP5.

There is a presumption against the demolition or partial demolition of a protected building except in specific circumstances and this application has been accompanied by an updated Structural Engineers report. In conjunction with reduced loss of fabric from the rear of the building, removal of medium value fabric and features from the interior can be found to be a reasonable aspiration.

The design and appearance of the proposed extensions on the character and appearance of the locality, represent a good standard of design that respects the local built environment. The extensions will provide more flexible and accessible accommodation to meet the needs of occupiers and represents efficient and effective use of land when considering the multi-storey rear extension coupled with the flat roof side extension.

The proposed extensions will not result in overshadowing or loss of light to the occupiers of neighbouring properties. The introduction of obscure glazing to the first floor window facing east and the proposed boundary treatment will ensure the development does not result in unacceptable overlooking or loss of privacy. The introduction of obscure glazing is a matter that can be managed by planning condition.

The application drawings show timber fencing and a gate adjacent to the parking area to provide access to the decking and garden for Roselea and further fencing to the south boundary and to the east of the garden area offering a pedestrian access to the attached neighbour. The block plan does not show a fence to the west of the garden, adjacent to the three parking spaces, nor to the south of the proposed path to the neighbouring property. The west elevation drawing appears to show a fence in

place of a hedge. Given the set back position of the fencing, away from the road and beyond the rear of the house and extension along with the roadside and other boundary features whether the garden boundary is marked by a fence or a hedge (or both) would all be considered acceptable when considering the flexibility offered by Policy GP13 and without undue harm to the setting of the protected building. The boundary treatments proposed should however, be installed before the extension is brought into use in order to limit mutual overlooking between Roselea and its neighbours.

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.

In view of the above it is recommended that permission is granted for the proposed development, subject to appropriate planning conditions.

Recommendation:

Grant with Conditions



Date: 21/10/2024

