

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: Variation to previously approved plans (FULL/2023/1293) to extend and alter at ground floor level to south-east (rear) elevation, replace roof covering and internal alterations (Protected Building) - relocate solar panels from extension roof, re-roof to slate and install solar panels to south (rear) roof-slope of existing property.

LOCATION: Le Pont, Rue Des Pres, St. Pierre Du Bois.

APPLICANT: Ms C Lenfestey

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: 20/09/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/08/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Paul Langlois Architects - 2280/04B, 10C, 11C, 11D

Application Ref: FULL/2024/1421

Property Ref: F012230000

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 by 13/02/2027.

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.Prior to commencement, a sample of the slate roof tiles to be used on the rear (southern) roof slope shall be submitted to the Planning Authority and shall be approved in writing by the Planning Authority and thereafter, the development shall proceed in accordance with the roof tile as agreed.

Reason: In the interest of securing a satisfactory visual appearance and preserve the character and appearance of the Protected Building.

5.Prior to their installation, full details of the proposed solar PV panels to be installed on the rear (southern) roof slope shall be submitted to the Planning Authority and shall be approved in writing by the Planning Authority and thereafter, the development shall proceed only in accordance with the solar panels as agreed.

Reason: In the interest of securing a satisfactory visual appearance and preserve the character and appearance of the Protected Building.

6.The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 14/02/2024, issued under planning application reference FULL/2023/1293, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

Expiry Date: This permission will cease to have effect on 13/02/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building is located in an area where bats may be present and measures may therefore need to be taken (including consideration of the timing of the works) to ensure that any protected species present are not impacted by the works. It is recommended that you contact La Société Guernesiale for advice or to arrange a site visit. La Société can be contacted on 07781 166924 or email info@societe.org.gg.

Should, following opening up works, any of the following be found to be necessary, then work should stop in that part of the building and advice should be sought from the Planning Service.

- Replacement of the chimney stacks;
- Alterations to the roof timbers of the house;
- Alterations to ceiling trusses;
- Replacement of the roof cladding/tiles.

These works are not shown on the approved drawings and a full assessment of such works could not be and has not been carried out based on the information contained in this planning application. It may be necessary for a further application to be submitted and these works should not be undertaken prior to the written consent of the Development & Planning Authority having been given.

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/2024/1421
Property Ref: F012230000
Valid date: 15/08/2024
Location: Le Pont Rue Des Pres St. Pierre Du Bois Guernsey GY7 9AQ
Proposal: Variation to previously approved plans (FULL/2023/1293) to extend and alter at ground floor level to south-east (rear) elevation, replace roof covering and internal alterations (Protected Building) - relocate solar panels from extension roof, re-roof to slate and install solar panels to south (rear) roof-slope of existing property.

Applicant: Ms C Lenfestey

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 by 13/02/2027.

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. Prior to commencement, a sample of the slate roof tiles to be used on the rear (southern) roof slope shall be submitted to the Planning Authority and shall be approved in writing by the Planning Authority and thereafter, the development shall proceed in accordance with the roof tile as agreed.

Reason: In the interest of securing a satisfactory visual appearance and preserve the character and appearance of the Protected Building.

5. Prior to their installation, full details of the proposed solar PV panels to be installed on the rear (southern) roof slope shall be submitted to the Planning Authority and shall be approved in writing by the Planning Authority and thereafter, the development shall proceed only in accordance with the solar panels as agreed.

Reason: In the interest of securing a satisfactory visual appearance and preserve the character and appearance of the Protected Building.

6. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 14/02/2024, issued under planning application reference FULL/2023/1293, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

INFORMATIVES

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building is located in an area where bats may be present and measures may therefore need to be taken (including consideration of the timing of the works) to ensure that any protected species present are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted on 07781 166924 or email info@societe.org.gg.

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Replacement of the chimney stacks;
Alterations to the roof timbers of the house;
Alterations to ceiling trusses.
Replacement of the roof cladding/tiles;

These works are not shown on the approved drawings and a full assessment of such works could not be and has not been carried out based on the information contained

in this planning application. It may be necessary for a further application to be submitted and these works should not be undertaken prior to the written consent of the Development & Planning Authority having been given.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a Protected Building close to the junction of Rue des Pres, Rue des Marches and Les Heches.

The site is also located Outside the Centre, and within the Agricultural Priority Area, and Conservation Area.

Relevant History:

FULL/2023/1293 - Demolish extensions and part of glasshouse, extend and alter at ground floor level to south-east (rear) elevation, replace roof covering and internal alterations (Protected Building) – Approved 14/02/2024

FULL/2023/1294 – Single storey extension to N.W. elevation, store to S.E elevation and alterations to fenestration of outbuilding – Approved 04/10/2023

PAPP/2008/0429 – Use of studio as ancillary accommodation - Approved 24/07/2008

Existing Use(s):

01 Dwelling houses

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

GP4 – Conservation Area

GP13- Householder Development

GP8 – Design

GP9 – Sustainable Development

Conclusion/Brief comment:

Principle of Development:

The principle of the development is acceptable under Policy GP13 which allows alterations and extensions to dwellings, subject to there being no harm to neighbour amenity, the appropriateness of the development in the landscape and in relation to character, and also there being no adverse impact on the special interest of a protected building.

Impact on Protected Building and Conservation Area:

The original submission was for a two-storey rear extension with solar panels on the new roof. This variation involves the re-roofing of the south (rear) elevation with slates, retaining the existing roof tiles to the front, and relocating the solar panels from the previous position on the extension to the main (rear) roof slope. No alterations to the existing front roof tiles are proposed in this application.

The whole of Le Point is a protected building, and is considered to be generally of high special interest, with a number of historic features.

The proposed re-roofing and introduction of solar panels to the rear roof slope, is acceptable in principle, subject to the use of appropriate panels and slates, and subject to these conditions, should meet the requirements of Policy GP5 and GP4 and the respect the special interest of the building and Conservation Area.

Impact on neighbour amenity:

The proposed development is unlikely to impact on neighbouring amenity due to the nature of the proposal.

Design:

Subject to the use of appropriate slates, the visual impact will be acceptable, and the replacement tiles and new panels are located on the rear roof slope and so will not be prominent in the streetscene, and therefore is acceptable in relation to Policy GP8.

Other matters:

In consideration of the previous application for works to the dwelling, La Société raised concern regarding the potential for bats to be roosting within the enclosed roofspace. It is therefore considered reasonable to attach an informative to the decision notice to make the applicant aware of the potential issues with disturbing animals which are protected under the Animal Welfare Ordinance 2012.

The application is considered acceptable in relation to the relevant policies and approval is recommended.

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: 19/09/2024

