

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: Remove section of wall and section of outbuilding to widen vehicle access to west boundary.

LOCATION: Les Menages, Rue des Menages, St Peters.

APPLICANT: Mr I Beattie

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: 14/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 30/09/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd - 7575-03 B1B, B2B & B3B

Application Ref: FULL/2024/1496

Property Ref: F014720000

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.Within six weeks of the first demolition of the walls, the walls forming the south elevation of the store and the entrance to the site shall be completed using materials and a method of construction which match the existing walls.

Reason - To ensure any alterations to the walls matches the appearance of the existing walls and thereby maintains the character and visual quality of the Conservation Area.

Expiry Date: This permission will cease to have effect on 14/10/2027 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/birds may be roosting/nesting 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 a survey is undertaken prior to works commencing to ensure there are no nesting birds or roosting bats within the building and so avoid potential breaches to the Animal Welfare Law.

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/2024/1496
Property Ref: F014720000
Valid date: 30/09/2024
Location: Les Menages Rue des Menages St Peters Guernsey GY7 9AR
Proposal: Remove section of wall and section of outbuilding to widen vehicle access to west boundary.

Applicant: Mr I Beattie

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).

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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. Within six weeks of the first demolition of the walls, the walls forming the south elevation of the store and the entrance to the site shall be completed using materials and a method of construction which match the existing walls.

Reason - To ensure any alterations to the walls matches the appearance of the existing walls and thereby maintains the character and visual quality of the Conservation Area.

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/birds may be roosting/nesting 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 a survey is undertaken prior to works commencing to ensure there are no nesting birds or roosting bats within the building and so avoid potential breaches to the Animal Welfare Law.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Les Menages' is an old granite farm complex some of which is 18th century, the main dwelling is 19th century, with a mid-20th century outbuilding to the northeast of the main dwelling. The dwelling is set back from and faces west onto Rue des Menages, the main entrance is to the north of the earliest building which sits gable onto the road, to the north of the entrance is a granite store and old pig sty. The property is located Outside of the Centres and within a Conservation Area as defined in the Island Development Plan.

Relevant History:

Two pre-applications earlier in the year.

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
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Consultations

Agriculture, Countryside and Land Management Services.

'We wish to highlight the potential for the outbuilding at Les Menages, St Peters, to support nesting birds and roosting bats and the risk to potential roosts of the proposed works to cause disturbance and loss of nesting/roosting habitat.

We recommend that a survey is undertaken prior to works to ensure there are no nesting birds or roosting bats within the building and so avoid potential breaches to the Animal Welfare Law and would recommend that a suitably worded condition or advisory be included with any planning consents, should permission be granted.'

Conclusion/Brief comment:

This application is to remove a section of wall and outbuilding to the north of the existing entrance to widen the access.

Initially the first pre-application suggested removing the historic mounting block from the south side of the entrance (attached to the 17th century barn), however, the mounting block is considered to be original and contributes to the special quality of the surrounding conservation area, it would unlikely be supported. The second pre-application looked at altering the north side of the existing entrance, as per this application.

The scheme has carefully considered how the existing entrance enhances the surrounding conservation area and has designed the wider vehicular opening by conserving (albeit in a slightly different location) all of the elements of the historic granite components.

The proposal is to carefully remove a section of the north side curved boundary wall and the front of the granite storeroom, along with the cart stones and post feature, and rebuild them exactly as they are but 1m further north. This will improve the

ability for vehicles to be able to safely enter the site without compromising the historic interest of the original opening.

The proposals are considered to conserve the special historic, architectural and traditional elements of the existing entrance whilst addressing the aspirations of the property owners.

To address the comments raised by Agriculture, Countryside and Land Management Services, it is recommended that a note is attached 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 and to recommend a survey is undertaken prior to works commencing to ensure there are no nesting birds or roosting bats within the building.

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: 14/10/2024