

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 extension, erect single storey extension to north-west (rear) elevation. Alterations to fenestration to outbuilding/garage.

LOCATION: Le Pave, Rue De La Porte, Castel.

APPLICANT: Mr & Mrs C & K Collenette

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: 15/11/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/10/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: CCD Ltd - 3895 PL01, PL02 & PL03.

Application Ref: FULL/2024/1693

Property Ref: D009640000

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 2 months of the hereby approved extension being first occupied, the existing roadside granite wall shall be raised in accordance with the approved details on drawing no. 3895 PL03 and shall match as closely as possible to the existing wall, in terms of its method of construction and appearance.

Reason -To assimilate the development into its environment in the interests of conserving the Conservation Area and visual amenity.

5.No cladding shall be brought to the site until such time as a finished sample of the zinc cladding to be used has been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development in the interests of conserving the Conservation Area.

6.The stove flue hereby approved shall be finished in matt black within 28 days of its installation.

To respect the traditional character and appearance of the Conservation Area.

Expiry Date: This permission will cease to have effect on 15/11/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

This decision permits the alteration of the existing outbuilding to create accommodation incidental to the principal dwelling presently known as Le Pave. It does not permit the creation of a separately occupied annex or an independent

dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

With regards to Condition 6, black is regarded as being a traditional colour found within the Conservation Area, as opposed to stainless steel. This would also match the appearance of the gutters and downpipes of the hereby approved extension.

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/2024/1693
Property Ref: D009640000
Valid date: 11/10/2024
Location: Le Pave Rue De La Porte Castel Guernsey GY5 7JR
Proposal: Demolish extension, erect single storey extension to north-west (rear) elevation. Alterations to fenestration to outbuilding/garage.

Applicant: Mr & Mrs C & K Collenette

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. Within 2 months of the hereby approved extension being first occupied, the existing roadside granite wall shall be raised in accordance with the approved details on drawing no. 3895 PL03 and shall match as closely as possible to the existing wall, in terms of its method of construction and appearance.

Reason -To assimilate the development into its environment in the interests of conserving the Conservation Area and visual amenity.

5. No cladding shall be brought to the site until such time as a finished sample of the zinc cladding to be used has been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development in the interests of conserving the Conservation Area.

6. The stove flue hereby approved shall be finished in matt black within 28 days of its installation.

To respect the traditional character and appearance of the Conservation Area.

INFORMATIVES

This decision permits the alteration of the existing outbuilding to create accommodation incidental to the principal dwelling presently known as Le Pave. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

With regards to Condition 6, black is regarded as being a traditional colour found within the Conservation Area, as opposed to stainless steel. This would also match the appearance of the gutters and downpipes of the hereby approved extension.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Le Pave' consists of a traditional granite dwelling-house with associated outbuildings.

The façade of the dwelling faces onto Rue de la Porte. The property is accessed by both Rue de la Porte and Rue des Belles, with a pedestrian lane, La Bissonerie, running along the eastern boundary.

The gable end of the dwelling faces towards Rue des Belles, with the rear of the dwelling and outbuilding visible in public views due to the height of the roadside boundary wall.

The property is located Outside of the Centres and is within the Kings Mills Conservation Area as defined in the Island Development Plan.

Planning permission was granted in 2022 to demolish a conservatory and erect a 1.5 storey extension amongst other works (FULL/2022/0537).

Planning permission is sought to demolish an extension and erect a single storey extension to the north-west (rear) elevation, and make alterations to the fenestration of the outbuilding/garage to the rear.

Relevant History:

FULL/2022/0537	Demolish conservatory, erect 1.5 storey extension and install solar panels to west (rear) elevation, erect single storey extension to south elevation of outbuilding to create dower unit.	Granted
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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:

GP4 Conservation Areas
GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Conclusion/Brief comment:

It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting Conservation Areas that special attention shall be paid to the desirability of preserving and enhancing the character and appearance of that Area.

Policy GP4 (Conservation Areas) states that proposals for development within a Conservation Area will be supported where the development conserves and, where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area.

The principle of removing the existing timber framed conservatory has been agreed as part of application FULL/2022/0537.

The replacement structure takes two forms, the first being to replicate the scale and form of the existing timber-framed conservatory, but finished in Zinc, and the second aspect of the extension takes the form of a contemporary single storey flat roof extension.

Policy GP4 and GP8 allows proposals to take either a traditional and/or contemporary forms within a Conservation Area. Irrespective of the style and design approach adopted (i.e. traditional or contemporary), it is required that a new structure achieves a high standard of design.

In light of the drawings submitted, the combination of this hybrid approach by virtue of adopting both a traditional and contemporary design forms is acceptable. The proposal is considered to respect the traditional form of the existing timber-framed conservatory, which then drops down to simplistic, and well detailed, flat roof extension, finished with large aluminium doors to the rear. The scale and form of the proposal takes into account the position of the existing fenestration of the host dwelling.

Incorporating a standing seam zinc roof complements the design adopted as it uses a traditional and sympathetic material, whilst adding a contemporary appearance given its 'pigmento red' appearance. This combination of a traditional material and red finish adds both cohesion, balance and rhythm to the design as the use of the material is repeated on both the hipped roof and on the fascia board of the flat roof. Moreover, the design recognises the importance of increasing the height of the boundary wall in order to integrate the flat roof into its sensitive surroundings in order to respect the Conservation Area.

Capping the top of the granite wall with lead together with the placement of gutters and downpipes onto the street is not regarded as high level detailing, although given the existing arrangement and finishes, it is not considered to cause undue harm to the Conservation Area when weighed against the existing arrangement.

Whilst the proposal will be highly visible in the street scene and will be 'read' as being different to that of the main house, and other extensions in the locality, due to the reasons set out above, the architectural style adopted is not considered to cause harm to the Conservation Area, despite being different to more conventional styles of extensions found on traditional buildings.

Overall, the proposal achieves a high enough standard of design in terms of its scale, mass, form, siting, materials, appearance and detailing for the purposes of Policy GP8 and GP4, subject to appropriate conditions.

The alterations to the outbuilding are acceptable and will respect the Conservation Area. An informative regarding the incidental use of the outbuilding should be attached to the decision as per that previously approved (FULL/2022/0537).

The proposal will not cause any adverse effect on neighbour amenity.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

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.

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: 08/11/24