

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND SECTION 19 OF THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

PROPOSALS: Erect 3 storey extension, alter roof covering, install cladding and alterations to fenestration to existing extension to north (rear) elevation (Protected Building).

LOCATION: Le Val, Route Des Blicqs, St. Andrew.

APPLICANT: Mr D Patterson

I refer to the application referred to below received as valid on 11/11/2024 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 21/02/2025

Drawing Nos: MAT Limited - 24-346-04, 05, 06, & Statement of Significance

Application Ref: FULL/2024/1880

Property Ref: K004940000

The Development & Planning Authority has decided to refuse your application under the provisions of section 16 of the Land Planning and Development (Guernsey) Law, 2005 for the following reasons:-

1. The demolition of the existing staircase would adversely affect both the plan form and fabric of the building and would remove a feature which contributes to the overall special interest of the protected building. It has not been demonstrated that the economic, social or other benefits of the development would outweigh the presumption against adversely affecting that special interest. The proposal is therefore contrary to Policy GP5 of the Island Development Plan and section 35 of The Land Planning and Development (Guernsey) Law, 2005.

2. By virtue of the design, inappropriate bulk and massing and the materials to be used the three-storey rear extension would not respect the form and character of the existing building, this together with the materials and the alterations to the window openings proposed for the single storey extension, would detract from the special interest of the host building and the setting and group value of adjacent protecting buildings within this area. The proposal would not achieve a particularly high standard of design and it has not been demonstrated that the economic, social or other benefits of the development would outweigh the presumption against adversely affecting that

special interest. The proposal therefore conflicts with Policies GP5, GP8 and GP9 and section 35 of The Land Planning and Development (Guernsey) Law, 2005.

3. The effect of the alterations proposed would be to introduce structures of a form and scale which would encroach on the space between buildings and to introduce unsympathetic materials which cumulatively would detract from the character, historic and architectural interest and appearance of the Conservation Area contrary to Policy GP4 of the Island Development Plan and the requirements of the Law.

4. As the proposal does not accord with all relevant policies of the Island Development Plan it also fails to satisfy Policy GP13.

OTHER REMARKS:-

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, against a decision to refuse an application for planning permission or outline planning permission to the Planning Tribunal on the merits. 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.

Copy of representations made

In reaching this decision the Development & Planning 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 to the Authority under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2024/1880
Property Ref: K004940000
Valid date: 11/11/2024
Location: Le Val Route Des Blicqs St. Andrew Guernsey GY6 8YD
Proposal: Erect 3 storey extension, alter roof covering, install cladding and alterations to fenestration to existing extension to north (rear) elevation (Protected Building).
Applicant: Mr D Patterson

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The demolition of the existing staircase would adversely affect both the plan form and fabric of the building and would remove a feature which contributes to the overall special interest of the protected building. It has not been demonstrated that the economic, social or other benefits of the development would outweigh the presumption against adversely affecting that special interest. The proposal is therefore contrary to Policy GP5 of the Island Development Plan and section 35 of The Land Planning and Development (Guernsey) Law, 2005.
 2. By virtue of the design, inappropriate bulk and massing and the materials to be used the three-storey rear extension would not respect the form and character of the existing building, this together with the materials and the alterations to the window openings proposed for the single storey extension, would detract from the special interest of the host building and the setting and group value of adjacent protecting buildings within this area. The proposal would not achieve a particularly high standard of design and it has not been demonstrated that the economic, social or other benefits of the development would outweigh the presumption against adversely affecting that special interest. The proposal therefore conflicts with Policies GP5, GP8 and GP9 and section 35 of The Land Planning and Development (Guernsey) Law, 2005.
 3. The effect of the alterations proposed would be to introduce structures of a form and scale which would encroach on the space between buildings and to introduce unsympathetic materials which cumulatively would detract from the character, historic and architectural interest and appearance of the Conservation Area contrary to Policy GP4 of the Island Development Plan and the requirements of the Law.
 4. As the proposal does not accord with all relevant policies of the Island Development Plan it also fails to satisfy Policy GP13.
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OFFICER'S REPORT

Site Description:

The application site comprises a traditional two storey dwelling house with a barn situated parallel to the north. The property and the barn are orientated with the gables facing Route des Blicqs to the east.

The whole of Le Val Farm (PB1620) is a protected building with the exception of the single storey north extension and the former cart shed to the west of the house. The detached barn to the north of the house, together with the stables, pigsties and roadside wall are also protected (PB1592). It is understood, the main building dates from the 14th Century with phases of development in the 18th, 19th and 20th Centuries (McCormack, 2015). It, along with the barn to the north, appears on the 1787 map. In 1898, the house was on a similar footprint to that of today. The north extension (not protected) was altered during the latter part of the 20th Century and the main roof was altered and re-clad between 2009 and 2013. The west barn (not protected) was demolished by 2016.

The protected building notice identifies the importance of this building both individually and in terms of its group value with other protected buildings in the locality as it states: *"A traditional farmhouse of medieval origins which maintains a high level of historic and traditional interest, and which forms part of an historic farm group. The site and its buildings also have archaeological value. The house has group value with other buildings within the site, and also with other buildings and structures within the Les Blicqs settlement."*

Surrounding the site the area comprises residential properties to the north and southeast, with fields to the east, further south and west. The site is situated Outside of the Centres and within Les Blicqs Conservation Area as designated in the Island Development Plan.

Relevant History:

FULL/2015/1744	Replace and reinstate windows and doors to barn, reinstate pump, regrade land, alter hardsurfacing and undertake landscaping.	Granted 30/12/2015
FULL/2014/0230	Extend and alter dwelling, convert barn to residential unit and install link from barn to main dwelling, form new vehicular access, create parking area and extend the domestic curtilage (Protected Building) (Retrospective)	Refused 05/12/2014
PREI/2009/0517	Conversion of part of outbuilding to a dwelling (Re-issue)	Granted 30/03/2009

Existing Use(s):

Residential (application site area outlined in red on the site location plan)

Agricultural land (other land owned outlined in blue on the site location plan)

Brief Description of Development:

Planning permission is sought to remove an internal stairwell, to erect a three-storey stairwell extension and to alter the existing roof covering, to install cladding and to alter the fenestration in the existing extension to the north (rear) elevation.

The extension will be constructed with a flat grey coloured GRP roof, hidden behind a pre-oxidised copper parapet wall capping. The external walls of the proposed extension will comprise a mixture of copper and composite timber cladding. The existing single storey extension will be clad in composite cladding with a replacement copper roof.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

Island Development Plan Policies

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

Representations:

None

Consultations:

La Societe Guerneslaise

By email dated 02/12/2024 stated the following:

"In respect of this application, we would like to highlight that buildings of this type can be used by roosting bats. This likelihood can increase when the property is located within a variable landscape with habitats such as farmland or woodland nearby. The Bailiwick Bat Survey has shown that there are bat populations in this particular part of the island.

We would recommend that the existing buildings, in particular the roofspaces, be inspected for current or recent use by bats by a suitably qualified person prior to any building works. This would reduce the risk of disturbing or destroying animals which are legally protected under the Animal Welfare Ordinance 2012.

We would request that, if this application is considered further, an informative note be added to the Information Sheet as follows -

'Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing

buildings may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species 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 by emailing info@societe.org.gg".

Summary of Issues:

- Whether the extension and alterations would have a detrimental effect on the special interest of the protected building.
- Whether the design, scale, mass, siting, form and materials of the proposed development are acceptable and whether the proposal would affect the character and appearance of the surrounding Conservation Area.
- Whether the proposal would affect the amenities of neighbouring residents.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Whether the extension and alterations would have a detrimental effect on the special interest of the protected building.

When considering applications affecting protected buildings, it is a duty of the Authority under section 34 of The Land Planning and Development (Guernsey) Law, 2005, to secure so far as possible that the special historic, architectural, traditional or other special characteristics of protected buildings are preserved.

This duty is encapsulated in Policy GP5 which supports proposals to extend or alter a protected building where the development proposed does not have an adverse effect on the special interest of the particular protected building or its setting, or where the economic, social or other benefits of the development and where appropriate, its contribution to enhancing the vitality of a Main Centre outweigh the presumption against adversely affecting that special interest. The policy states that in all cases proposals must accord with other relevant policies of the IDP.

For the purpose of this report, the value of elements of the building has been assessed against the magnitude of impact of the works to establish the effect of the development on the overall special interest of the protected building. The matrix on page 16 of BS 7913:2013 is a useful tool for this purpose.

As set out in paragraph 19.6.7 of the preceding explanation of Policy GP5 *“When designing a development, applicants will be expected to demonstrate an understanding of the special interest of the protected building so that it can be taken into consideration at the outset of the design and development process and, wherever possible, any negative effects on the special interest can be avoided”*.

The application is supported by a Statement of Significance (SOS). This sets out a brief history of the development of the building but fails to recognise the importance of differing phases in its evolution, instead suggesting that these undermine the special interest of the original house. Within the SOS an attempt is made to apportion value to some fabric and features of the building but there is no mention of the roof or its form, or the impact that the proposed changes would have on this aspect of the protected building. The SOS considers that the existing stairwell is a later addition and *“does nothing to add to the character of the building. Indeed its position within a corner of the central hallway tends to detract from this space, so its removal is considered to be a positive benefit”*, with a justification for the external stairwell on the grounds that it has been *“designed to meet the current owners reasonable aspirations for the use of his property”* as, *“he wishes to provide much better access to all parts of the dwelling, including the attic storage area.”*

However, the SOS and the submitted information fails to consider the full impacts of the development on the special interest of the protected building and therefore falls short of the requirements of Policy GP5 and in particular paragraph 19.6.7. Therefore, an informed decision based on the submission alone is not possible and there are objections to the proposal under GP5 on the basis of the insufficient information submitted. However, the most recent protected building survey at this property was carried out on the 18/08/2014 and it is possible to make an assessment based on knowledge from this.

The proposal will involve the removal of the existing internal stairwell and the construction of a three-storey extension that will accommodate the relocated stairwell and associated landings. The claims within the SOS to justify the removal of the existing stairwell (as referred to above) are not supported. The removal of the staircase would adversely affect both the plan form and fabric of the protected building and would remove a feature that currently contributes to the overall special interest. No detailed evidence has been provided as part of the application to demonstrate that there are economic, social or other benefits of the development, or, that the reasonable aspirations of the property owner would outweigh the presumption against adversely affecting the special interest of this protected building.

The supporting information claims that the three-storey stairwell extension has been designed to be: *“a contemporary interpretation of the former tourelle which appears to have existed in the past and which has been lost at some point in time.”* It is claimed that the extension will be: *“well designed, in a contemporary style and finished in good quality materials to complement the existing buildings rather than attempt pastiche”*. For clarity the extension will be clad with a composite timber-effect material and pre-oxidised copper.

However, by virtue of the inappropriate bulk and massing, its design (built to the near height of the main ridge with changes to the pattern of openings in the rear elevation of the building), and the introduction of the materials proposed (in particular the composite cladding), the rear extension would not achieve a high standard of design. The proposal would also involve the loss of a large section of the roof which collectively (with those concerns already identified) would detract from and cause harm to the special interest of the protected building. No evidence has been provided as part of the application to demonstrate that this harm would be outweighed by the reasonable aspirations of the property owner.

Furthermore, the protected building notice identifies the importance of this building both individually and in terms of its group value with other protected buildings in the locality as it states: *“A traditional farmhouse of medieval origins which maintains a high level of historic and traditional interest, and which forms part of an historic farm group. The site and its buildings also have archaeological value. The house has group value with other buildings within the site, and also with other buildings and structures within the Les Blicqs settlement.”* Although the proposed extension would not project horizontally beyond the existing single storey extension, by virtue of its height (three storey) and massing it would impinge on the space between buildings and be highly prominent in short views from the east affecting the setting of the adjacent protected barn immediately to the north and the group value with other buildings and structures within the surrounding area.

With regard to the alterations to the single storey extension, the visual effect on the setting of the protected building as a cumulative result of the materials to be used and the alterations to the window openings of the extension would give a level of harm to the overall special interest of the building that is not outweighed by the reasonable aspirations of the property owner.

For the above reasons the proposal conflicts with Policies GP5 and GP8 of the IDP.

Whether the proposal would affect the character and appearance of the surrounding Conservation Area.

The site is within Les Blicqs Conservation Area. It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting Conservation Areas, to secure so far as possible that the special historic, architectural, traditional or other special characteristics are preserved. This is reflected in Policy GP4 which supports development that conserves, and where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area.

Policy GP8 seeks to ensure that new development achieves a good standard of design making effective use of land whilst respecting the character of the open landscape concerned. Development should also give consideration to the amenities of occupiers and surrounding neighbours and provide accessibility for all. In addition, Policy GP8 sets out that some parts of the Island are more sensitive to building design than others, such as where development is situated within a Conservation Area, or relates to protected

buildings, and in these cases development is expected to achieve a particularly high standard of design which should respect the character of the particular environment concerned.

Policy GP13 indicates that proposals for extensions and alterations to existing residential properties will be supported subject to certain criteria being met including with regards to the impact on the amenities of neighbouring properties, taking into account the surrounding character and where they accord with all the relevant policies of the Island Development Plan.

This part of Les Blicqs Conservation Area is characterised by stone buildings constructed often, but not always, gable to the road and sometimes abutting the highway. The front and rear elevations of buildings are therefore often able to be viewed from the road and the spaces – often former farmyards – between them, whilst screened in any but short views by the buildings themselves, are a feature.

Extensions have been constructed in these spaces between buildings, including at the application site, but these are primarily single storey structures and built of traditional materials such as stone, render, slate or clay-pantile.

The proposed extension would not project horizontally beyond the existing extension but would be three storeys in height and would impinge on the space between buildings and be highly prominent in short views from the east. It is proposed to clad the extension with a composite timber-effect material and pre-oxidised copper. It is also proposed to use these materials in alterations to the existing extension.

Both the introduction of these materials and the scale, bulk, massing and form of the proposed stairwell extension would introduce elements which would be at odds to and would serve to detract from the character, historic and architectural interest, and appearance of the surrounding Conservation Area. The proposal would therefore be contrary to Policy GP4. Furthermore, for these reasons the proposal does not represent a 'high' standard of design as required in this sensitive setting and would therefore be contrary to Policy GP8 and Policy GP13.

Whether the proposal would affect the amenities of neighbouring residents.

Policy GP8 requires *inter alia* that proposals for new development will be expected to consider the health and well-being of the occupiers and neighbours of the development by means of providing adequate daylight, sunlight and private/communal open space.

The proposed development would be situated circa 21m from the nearest neighbouring residential property to the north with an existing two storey barn building separating the development from this neighbouring property. The proposal would therefore not cause any significant harm on neighbour amenity in this instance.

Other matters

Policy GP9 is wide-ranging and includes requirements for sustainable design and construction with reference to the design, layout and orientation of buildings, flood risk and surface water run-off, renewable energy, the use of materials and the management of waste.

Paragraph 19.10.4 of the preceding explanation of Policy GP9 states that *“In order to encourage high standards of sustainable construction the Authority will apply a flexible approach to the design, location and orientation of development where this would not have unacceptable impacts on the character or amenity of an area or an adverse effect on the special interest of a Conservation Area or protected building or protected monument”*.

However, as discussed above, the proposed works would have an adverse effect on the special interest of the protected building and therefore the proposal fails to satisfy the requirements of Policy GP9. As the proposal does not accord with all relevant policies of the Island Development Plan and for the reasons referred to above, it also fails to satisfy Policy GP13.

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The impact on the protected building and setting of adjacent protected buildings has been assessed in section 2 above. The proposal would have no adverse impact on protected trees, monuments or SSS sites.

Date: 21/02/2025

