

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: Reconstruct wall and alter vehicle access to west boundary (Protected Building).

LOCATION: Les Vardes Farm, Route De Port Grat, St. Sampson.

APPLICANT: Mr & Mrs P Stenner

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: 27/01/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 05/12/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: G.E Le Friec - 2314/W1 & W2

Application Ref: FULL/2024/1963

Property Ref: B019640000

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.Prior to the commencement of any work in connection therewith details of the finish/capping to the top of the wall hereby approved 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 wall capping features. This condition is imposed to make sure that the wall is appropriately finished in order to preserve the character and appearance of the area and setting of the protected buildings.

5.Prior to the commencement of any work in connection therewith details of the means by which the approved wall would be attached to the existing wall 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 this aspect of the development. This condition is imposed to make sure that the wall is appropriately finished and connected to the existing wall, in order to preserve the character and appearance of the area and setting of the protected buildings.

Expiry Date: This permission will cease to have effect on 27/01/2028 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/2024/1963
Property Ref: B019640000
Valid date: 05/12/2024
Location: Les Vardes Farm Route De Port Grat St. Sampson Guernsey
GY2 4TB
Proposal: Reconstruct wall and alter vehicle access to west boundary
(Protected Building).
Applicant: Mr & Mrs P Stenner

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 - The information provided with the application does not include full details of this aspect of the development. This condition is imposed to make sure that the wall is appropriately finished and connected to the existing wall, in order to preserve the character and appearance of the area and setting of the protected buildings.

OFFICER'S REPORT

Brief Description of the site:

The application relates to the reconstruction of a wall, with alterations to the vehicular access to the west site boundary. From the garden level the granite wall will be 2m high whilst from road level the wall will measure 0.9m high.

The site is located Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan.

The exterior of the house and the exterior of the outbuildings, attached to the house and detached, together with the circular trough, the monolithic gate posts, the roadside and garden walls are Protected. The south wing, the west wings and the lean-to glasshouse/shed and the glasshouse are excluded from the listing.

Relevant History:

FULL/2024/0097 - Install cladding and door to south-west gable to outbuilding. (Protected Building) – granted

FULL/2024/1197 - Convert, replace roof and alter building to create dwelling and associated works, alter access and erect pedestrian and vehicle gates to south-west boundary (Part Retrospective) (Protected Building) – refused

FULL/2024/1499 - Demolish and rebuild chimneys, install replacement roof covering, demolish chimney, install replacement roof to extension to south-west elevation of main dwelling. Install replacement roof to north elevation of outbuilding (known as the dairy) and remove section of roof to outbuilding (known as Long Store) both to the north of the main house. Repair and repoint outbuildings and garden walls (Protected Building) (part retrospective) – under consideration

The curtilage of the site was defined in 2024.

Existing Use(s):

01 dwellinghouse

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

Island Development Plan policies:

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

The proposals represent a good standard of design that will respect the character of the local area. The works will not have an adverse impact on residential amenity or the setting of the protected buildings.

An adjoining section of wall, not included in this submission, has been constructed and is capped in flat granite stones. The drawings that accompany this submission do not clearly show whether this approach would be adopted for the wall now proposed although this is a matter that can be managed by condition and the finish applied would be acceptable.

The adjoining section of wall, labelled existing on the application drawings, has been repaired and repointed, as confirmed by the planning agent in an email on 27/01/2025. It is also appropriate to condition how the existing and proposed walls will be joined/connected to one another.

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 permission is granted.

Recommendation:

Grant with Conditions



Date: 27/01/2025