

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: Install replacement roof, rebuild section of wall and refurbishment works, fenestration and internal works to section of barn to east boundary (Protected Building).

LOCATION: The Hermitage Barn, East Wing, Les Mielles, L'Ancrese, Vale.

APPLICANT: Mrs R Henry

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: 18/02/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/12/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Site Location Plan, CBL Consulting - 11012-210 A2, 211 A2, 212 A2

Application Ref: FULL/2024/2002

Property Ref: C016430000

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.Notwithstanding the plans hereby approved, no consent is conferred for re-pointing using a cement-based mortar.

Reason: To preserve and enhance the character and appearance of the Protected Building.

5.Prior to insertion of the new, large-scale drawings (1:20 elevations; 1:5 sections) of all new and replacement doors and windows shall be submitted for the written agreement of the Authority;

Reason: To preserve and enhance the character and appearance of the Protected Building.

6.Prior to installation, a specification for the gutters hereby approved shall be submitted to and agreed in writing by the Authority;

Reason: To preserve and enhance the character and appearance of the Protected Building.

7.In reconstruction of the wall, stone shall be of type, colour, texture and method of laying to match the existing wall;

Reason: To preserve and enhance the character and appearance of the Protected Building.

8. In replacement of the lintel, stone shall be of type, colour, texture and method of laying to match the existing wall or shall be of a single stone to match such stone used elsewhere in the building;

Reason: To preserve and enhance the character and appearance of the Protected Building.

Expiry Date: This permission will cease to have effect on 18/02/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Repointing using a suitable lime-based mortar mix can be considered a Class 5 exemption for which planning permission is not required;

Should investigations find that alterations are required to the ground floor structure and/or finish, further discussion must be had with the Authority prior to any alterations being made.

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 roosting 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.

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/2024/2002
Property Ref: C016430000
Valid date: 20/12/2024
Location: The Hermitage Barn, East Wing Les Mielles L'Ancrese
L'Ancrese Vale Guernsey GY3 5AZ
Proposal: Install replacement roof, rebuild section of wall and
refurbishment works, fenestration and internal works to
section of barn to east boundary (Protected Building).

Applicant: Mrs R Henry

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.

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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.

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INFORMATIVES

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OFFICER'S REPORT

Brief Description of the site:

The site is located on Les Mielles Road, to the south of L'Ancrese common and within the Les Mielles Conservation Area.

The barn is part of a group of buildings, boundary and garden walls, which are Protected Buildings. The site is located Outside of the Centre as designated in the Island Development Plan.

Relevant History:

N/A

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:

GP4- Conservation Areas

GP5- Protected Buildings

GP8- Design

GP9- Sustainable Development

GP13- Householder Development

Representations:

One letter of representation was received, drawing attention to the use of similar buildings for roosting bats, recommending that the existing building is inspected by a suitably qualified person prior to any works.

The informative note regarding this and the requirements under the Animal Welfare Ordinance suggested has been added to the decision.

Conclusion/Brief comment:

The works are proposed following a fire, and involves the installation of a replacement roof, window and door, along with refurbishment works and the rebuilding of a section of wall.

The proposed works have been considered to be reasonable aspirations due to their need following fire damage. However, the use of cementitious mortar as shown in the plans is not acceptable and this has been removed from the plans and a condition and informative added to assist.

In summary, the proposed alterations are located and designed to match the building prior to the fire such that the effect on the character, historic and architectural interest and appearance of Les Mielles Conservation Area would be conserved. The design is appropriate and there are no issues regarding neighbour amenity, which means the proposal accords with relevant policies.

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: 18/02/2025

