

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 and rebuild chimneys. Erect extension at 1st floor level to east (side) elevation, erect single storey extension to the southeast, refurbishment of external render, internal and fenestration alterations (Protected Building).

LOCATION: Les Landes, Route Des Landes, Vale.

APPLICANT: Smith & Sons Properties Ltd

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: 22/07/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/12/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd - 6472/C3a & /D/1.

Application Ref: FULL/2024/2045

Property Ref: C013460000

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.This permission relates only to the careful removal of the existing window sashes and frames which are to be stored inside and in a manner that will ensure that their condition does not deteriorate, no sashes shall be de-glazed. Once the windows have been inspected, a schedule of repairs must be submitted to the Authority for written approval prior to any works being carried out or any materials being disposed of.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

5.On completion of condition 4 above, if it is agreed by the Authority that windows can be replaced in their entirety, large scale details (1:20 elevations and 1:5 sections) of the proposed replacement windows shall be submitted to and approved in writing by the Authority prior to any works being carried out on site, or any windows ordered. The works shall then be completed in accordance with the approved details.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

6.Full specifications of the proposed strengthening works to the existing first and second floor structures shall be submitted to and approved in writing by the Authority before any works are carried out. The works shall then be completed in accordance with the approved details.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

7.Full specifications are required for any works to the wing noted as 'Second Kitchen / utility' on drawing number 6472/D/1, which shall be retained and protected including the furze oven, no works shall be carried out until specifications have been approved in writing by the authority.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

8.No works shall be carried out on the extension until full details of its external materials have been submitted to and approved in writing by the Authority. The works shall then be completed in accordance with the approved details.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

9.No works shall be carried out on the extension until specifications which detail how the extension is to be attached to the protected building, including flashings and mechanical fixings, have been submitted to and approved in writing by the Authority. The works shall then be completed in accordance with the approved details.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

10.The chimneys above the level of the existing roof shall be measured and photographed before they are carefully demolished, and a brick or bricks are to be retained so that any proposed new bricks may be compared to them. Drawn specifications and samples of the original and proposed bricks for the proposed replacement chimneys shall be submitted to and approved in writing by the Authority before any re-building works are carried out on site.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

Expiry Date: This permission will cease to have effect on 21/07/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

It is noted that it is proposed to retain the section of the old floor which is tiled. Please be advised that this detail may lead to damp issues due to the differential between the insulated and non-insulated floors, and the Authority is open to alternative details

which reasonably sustain the special interest of the whole protected building whilst encouraging improvements in its habitability.

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/2024/2045
Property Ref: C013460000
Valid date: 09/12/2024
Location: Les Landes Route Des Landes Vale Guernsey GY3 5JD
Proposal: Demolish and rebuild chimneys. Erect extension at 1st floor level to east (side) elevation, erect single storey extension to the southeast, refurbishment of external render, internal and fenestration alterations (Protected Building).

Applicant: Smith & Sons Properties Ltd

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. This permission relates only to the careful removal of the existing window sashes and frames which are to be stored inside and in a manner that will ensure that their condition does not deteriorate, no sashes shall be de-glazed. Once the windows have been inspected, a schedule of repairs must be submitted to the Authority for written approval prior to any works being carried out or any materials being disposed of.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

5. On completion of condition 4 above, if it is agreed by the Authority that windows can be replaced in their entirety, large scale details (1:20 elevations and 1:5 sections) of the proposed replacement windows shall be submitted to and approved in writing by the Authority prior to any works being carried out on site, or any windows ordered. The works shall then be completed in accordance with the approved details.

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8. No works shall be carried out on the extension until full details of its external materials have been submitted to and approved in writing by the Authority. The works shall then be completed in accordance with the approved details.

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9. No works shall be carried out on the extension until specifications which detail how

the extension is to be attached to the protected building, including flashings and mechanical fixings, have been submitted to and approved in writing by the Authority. The works shall then be completed in accordance with the approved details.

Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

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Reason - To make sure the works respect the special character of this protected building, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

INFORMATIVES

It is noted that it is proposed to retain the section of the old floor which is tiled. Please be advised that this detail may lead to damp issues due to the differential between the insulated and non-insulated floors, and the Authority is open to alternative details which reasonably sustain the special interest of the whole protected building whilst encouraging improvements in its habitability.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Les Landes' is a protected two storey stone cottage which is located behind the ribbon development along the south side of Route des Landes. The driveway comes from the north and enters at the back of the property. The dwelling faces south onto a small garden. To the west of the driveway a shed/workshop was situated although removed c. 2013. The property is surrounded by other domestic residencies. The site is located Outside of the Centres as designated in the Island Development Plan. The property is a protected building.

Relevant History:

FULL/2024/1886 - Erect 1.5 storey detached outbuilding to west boundary and install hard-surfacing to north of property (Protected Building) – Approved December 2024.

FULL/2024/1328 - Sub-divide dwelling into two units (Protected Building) –
Withdrawn October 2024.

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:

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

This application as originally submitted was to demolish and rebuild the chimneys, erect a first floor extension to the east (side) elevation, install dormer windows and rooflights to north (front) elevation, the refurbishment of the external render, some internal alterations and alterations to the fenestration.

It was considered that the alterations to the main dwelling were too intrusive and would alter the origins of the dwelling irreparably, therefore a meeting was held and it was suggested that a new extension would be preferable than extending into the loft space in this instance.

The amended drawings show two bedrooms upstairs and a lounge and kitchen downstairs with a new extension housing a bathroom, a glazed dining room and a bedroom suite. The extension will be timber clad with metal roof and glazed link, which should only touch the main dwelling lightly.

The new design is an improvement to the initial design as it preserves and renovates the main protected dwelling whilst providing additional space within the new extension. The proposed extension is not ideal, but given that it is reasonably low and linked to the main building in a fairly non-destructive way, it is considered that it would not unreasonably harm what is special about the Protected Building as a whole.

The amended design is considered to comply with policy GP5 as long as conditions are added to ensure the detailing is of good quality to sustain the special interest of the building. A brief explanation for the conditions are as follows;

Window conditions.

Whilst it is believed that the window schedule specification is intended to be positive, the Authority cannot agree with the wording which would effectively allow all windows to be replaced 'where appropriate'. To that end the condition is intended to allow the removal and inspection of the windows and then to come back to the Authority with a clear plan.

The second window condition is to ensure that where replacement windows are allowed, the replacements are suitable. Please refer to guidance note CN11 'Windows and doors in protected buildings' which encourages improvements in energy efficiency whilst ensuring that the design is still suitable.

Floors.

It is noted that the works to the floors are not sufficiently detailed to understand the impact on the special interest of the building. Currently the beams and the joists are an important part of the overall special interest of the building, and there is a need to ensure that their special interest is reasonably protected.

Extension at first floor.

It is noted that *'Engineer to ensure suitability of the existing walls along with their foundations to accept the first-floor extension in granite.'* This condition is intended to ensure that the special interest of this part of the building is reasonably protected.

New proposed wing extension.

No details have been noted on the drawings for the material palette of the new extension.

It is noted that it is proposed to retain the section of the old floor which is tiled. Please be advised that this detail may lead to damp issues due to the differential between the insulated and non-insulated floors, and the Authority is open to alternative details which reasonably sustain the special interest of the whole protected building whilst encouraging improvements in its habitability.

The scale and massing of the new extension is not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it have any impact on either of the immediate neighbours.

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: 22/07/2025