

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 conservatory, erect single storey extension to west (rear) elevation, erect porch, install rooflight to east (front) elevation, install cladding, fenestration and internal alterations. (Protected Building).

LOCATION: Pelorus, Rue Des Monts, Forest.

APPLICANT: Mrs E De La Mare & Mr Magliocchetti

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: 20/03/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/01/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DLM Architects: 1286_10, _11, _12, _13, _14, _15 & _16.

Application Ref: FULL/2025/0115

Property Ref: H002260000

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.No cladding shall be installed until such time as details of the type, texture, colour and finish of the cladding materials to be used have been submitted to and agreed in writing by the Authority. Only the cladding material and any agreed finish agreed in writing by the Authority shall be used in carrying out the development.

Reason - To protect the special interest and setting of the protecting building, the character and appearance of the surrounding Conservation Area in accordance with policies GP4, GP5 and GP8 of the Island Development Plan.

Expiry Date: This permission will cease to have effect on 19/03/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of any doubt this permission does not allow for the construction of the outbuilding and timber decking as shown on the proposed site plan (drawing Ref: 1286_10). Please note that these are both within the grounds of a protected building where the relevant Exemptions would not apply in this instance and a separate grant of planning permission for such would be required.

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/2025/0115
Property Ref: H002260000
Valid date: 22/01/2025
Location: Pelorus Rue Des Monts Forest Guernsey GY8 0BA
Proposal: Demolish conservatory, erect single storey extension to west (rear) elevation, erect porch, install rooflight to east (front) elevation, install cladding, fenestration and internal alterations. (Protected Building).

Applicant: Mrs E De La Mare & Mr Magliocchetti

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. No cladding shall be installed until such time as details of the type, texture, colour and finish of the cladding materials to be used have been submitted to and agreed in writing by the Authority. Only the cladding material and any agreed finish agreed in writing by the Authority shall be used in carrying out the development.

Reason - To protect the special interest and setting of the protecting building, the character and appearance of the surrounding Conservation Area in accordance with policies GP4, GP5 and GP8 of the Island Development Plan.

INFORMATIVES

For the avoidance of any doubt this permission does not allow for the construction of the outbuilding and timber decking as shown on the proposed site plan (drawing Ref: 1286_10). Please note that these are both within the grounds of a protected building where the relevant Exemptions would not apply in this instance and a separate grant of planning permission for such would be required.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a former barn which prior to 1990 was derelict and formed part of Le Chene Farm to the southeast. During the 1990's various planning permissions were granted to repair the building and to convert it into ancillary residential accommodation. In 2005 further planning permissions were granted to convert the application building into a separate residential unit of accommodation which were implemented. The building has remained as a dwelling ever since.

Surrounding the site the area comprises residential properties in all directions. The property is accessed to the east onto La Rue Des Monts.

The site is situated Outside of the Centres and within a Conservation Area as designated in the Island Development Plan.

The whole of the building (interior and exterior) is protected.

Relevant History:

PAPP/2005/3578	Alterations & change of use to a unit of separate residential accommodation (part retrospective)	Granted 05/12/2006
HAPP/2005/3573	Alterations & change of use to a unit of separate residential accommodation (part retrospective)	Granted 05/12/2006
PAPP/2005/3572	Creation of vehicular access and construction of a domestic garage/store.	Permission in principle granted 05/12/2006
HAPP/1997/0838	Re-construct outbuilding to provide ancillary domestic accommodation	Granted 13/05/1997
PAPP/1996/5366	Convert barn to ancillary habitable accommodation	Withdrawn 28/02/1997
PAPP/1993/2606	Convert barn to ancillary habitable accommodation	Granted 18/07/1993
PAPP/1993/1267	Convert barn to dwelling	Permission in principle granted 20/05/1993

Existing Use(s):

Residential – Use Class 1

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:

Island Development Plan Policies:

GP4: Conservation Areas;

GP5: Protected Buildings;

GP8: Design;

GP9: Sustainable Development;

GP13: Householder Development.

Conclusion/Brief comment:

Planning permission is sought to demolish an existing conservatory and to erect a single storey extension to the rear (west) of the property, to erect a porch and to install a roof light to the front (east) elevation, to install cladding, alterations to the fenestration and internal alterations to the building.

The Authority has a duty under Section 34 of the Law to wherever possible ensure the special interest of a protected building is not harmed and to pay special to preserving the protected building's special characteristics. 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. The policy states that in all cases proposals must accord with other relevant policies of the IDP.

Although a protected building the barns were rebuilt/substantially refurbished during the late 1990s – aerial photos prior to then show the buildings ruined and with only external walls clearly remaining so, at the most, those walls are likely to be all the historic fabric now present. The building subject of the application is within the setting of Le Chene (H.226/C-PB1425), the house with which these outbuildings were originally associated.

Given the level of alterations previously made to the application building, including alterations to the roof, the insertion of dormers and the construction of a porch and conservatory all dating from the end of the 20th century, the changes here proposed would have a minimal effect on the overall special interest of the protected building and the setting of the neighbouring protected building. The scheme therefore accords with Policy GP5 in this instance.

The site is also within a 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.

Within Conservation Areas Policy GP8 seeks to ensure that new development achieves a particularly high standard of design whilst making effective and efficient use of land and respecting the character of the local built environment or the open landscape concerned. Development should also give consideration to the amenities of occupiers and surrounding neighbours, provide soft and hard landscaping where this reinforces local character or mitigates the development.

The extension and alterations as proposed would be of proportions, appearance and materials appropriate to the special interest of the protected building and would be in-keeping with the character of the host building and the surrounding Conservation Area in accordance with Policies GP4, GP5 and GP8 of the IDP.

Although the plans show additional accommodation being provided to the first floor of building, given that the property is set within an existing embankment and that the property has a lower ground floor, the proposed extension is considered to be of single storey construction built at the same level of ground as the patio area, garden area and boundary walls to the rear of the site. The boundary walls surrounding the property will be level with the eaves level of the proposed extension and would prevent any views extending into the garden areas of the neighbouring properties to the west and south. The proposal would not cause harm with regards to overshadowing or light loss. For these reasons the scheme would not harm residential amenity and complies with policies GP8 and GP9 of the IDP.

The application site plan also shows an outbuilding and an area of hardstanding to be constructed to the northwest of the main dwelling in a raised part of the garden area for the property and refers to both as forming 'Exempt Development'. However, as both would be within the grounds of a protected building, the Exemptions referred to would not apply in this instance. A separate planning application would therefore be required should the applicant intend to construct the outbuilding and decking, and it is recommended that an informative is included to advise of this.

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.

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: 20/03/2025

