

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 chimney and erect flue, alterations to fenestration to south (rear) and east (side) elevations and internal alterations. Erect gazebo to west elevation of outbuilding, erect fencing, gates and retaining wall, external steps and landscaping (Protected Building)

LOCATION: Les Rouvets Farm, Rue De L'Arquet, St. Saviour.

APPLICANT: Mr & Mrs West

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: 12/05/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 03/02/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP Architecture: 3017 SK-02B, 03C, 04A, 05B, 06C, 07 and gate and fence details (date stamped received 3rd February 2022).

Application Ref: FULL/2022/0166

Property Ref: E009370000

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 works to the windows, 1:20 scale elevations of the replacement windows and doors as well as 1:5 scale details of the window and door jamb, cill, head, meeting rails, glazing bar shall be submitted to and approved by the Authority. The windows and doors shall thereafter be installed in accordance with the approved details.

Reason: To ensure the detailed design of the windows and doors are acceptable to the special interest of the protected building.

5.Following the demolition of the existing brick chimney, the roof surface where disturbed, shall be made good in materials to match as closely as possible to the existing roof surface.

Reason - In order to preserve the special interest of the protected building.

Expiry Date: This permission will cease to have effect on 11/05/2025 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/2022/0166
Property Ref: E009370000
Valid date: 03/02/2022
Location: Les Rouvets Farm Rue De L'Arquet St. Saviour Guernsey
GY7 9ND
Proposal: Demolish chimney and erect flue, alterations to fenestration to south (rear) and east (side) elevations and internal alterations. Erect gazebo to west elevation of outbuilding, erect fencing, gates and retaining wall, external steps and landscaping (Protected Building)
Applicant: Mr & Mrs West

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 - In order to preserve the special interest of the protected building.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a protected building located south of Les Rouvets, St. Saviour. The property lies within a Conservation Area as defined in the Island Development Plan.

Planning permission is sought to demolish a chimney and erect flue, alter the fenestration to the front, east and south elevations and make internal alterations. Permission is also sought to erect a gazebo to the west elevation of the outbuilding, erect fencing, gates and a retaining wall and general landscaping.

Additional information was sought in respect of the proposed works to the front (north elevation) of the building. The agent has provided an elevation drawing highlighting the works proposed.

Relevant History:

None germane to this application.

Existing Use(s):

Residential

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
IP9 Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting protected buildings and Conservation Areas, to secure so far as possible that the special historic, architectural, traditional or other special characteristics are preserved.

The protected building comprises a mix of timber and upvc windows. The removal of the windows identified on the drawings submitted is acceptable, provided the replacement windows make an equal or enhanced contribution to the architectural interest of the protected building and the Conservation Area. Given that the majority of the existing UPVc windows and doors will be replaced in timber, and will replicate the configuration and means of opening as the existing window, then the replacement fenestration overall is likely to have an enhanced effect on the special interest of the building as well as a the Conservation Area, subject to large scale drawings.

The proposed internal and external changes to the building are relatively minor and in isolation or cumulatively, would not cause significant harm to the special interest of the protected building. In addition, the agent has provided satisfactory justification for the proposed works and these are considered to be a reasonable aspirations of the property owner (Policy GP5) whilst respecting and preserving the protected building and Conservation Area respectively.

Whilst the proposed entrance gates are 1.8m high and are of a solid design, the degree of harm to the Conservation Area is considered to be limited given that the entrance gate to the west of the property is sufficiently setback from the road, and the entrance gate to the east of the property will be 'read' against high boundary walls and therefore would have a limited visual effect when closed. In addition, Les Rouvets is characterised by low traffic speeds and volumes and therefore the

installation of solid gates this close to the road is likely to have a negligible effect on highway safety and traffic management when compared to the existing open-style, metal gates.

The proposed landscaping works to the gardens are considered to be more substantial than those affecting the interior or exterior of the dwelling, although are likely to have a minor effect on the setting of the protected building.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 04/05/22

