

**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:** Raise roof height to create accommodation at 1st floor level, extend and alter at ground floor level (protected Building).

**LOCATION:** Gate Cottage, Les Rouvets Farm, Bas Rouvets, 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:** 15/08/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/02/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** DRP drawing no's: 3148-DR-002A, 100C, 150B, 201B & 300B.

**Application Ref:** FULL/2023/0188

**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.Notwithstanding the information submitted, on completion of, or prior to the first use (whichever is the sooner) of the balcony (however named) hereby approved a 1.7m high privacy screen glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) shall have been installed along the west elevation as shown on the approved drawing (ref 3148-DR-100 C). The privacy screen shall be retained as such in perpetuity.

Reason - To ensure that the privacy screen is appropriately installed in a timely manner to minimise the effect of the development on the privacy and amenities of nearby residents.

5.The cill heights of the roof lights hereby approved to the side (west) elevation shall be installed at no less than 1700mm above finished first floor level.

Reason - To protect the amenities of neighbouring residents.

6.The stone to be used in the construction of the first floor extension hereby permitted shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stonework.

Reason - in the interests of visual amenity and to ensure the same method and appearance of granite matches the original part of the building to conserve the Conservation Area and respect the special interest of the protected building.

7.The boundary hedge shown on the approved Site Plan (ref: 3148-DR-002 A) shall be planted in the first planting season on completion of, or prior to the first use (whichever is the sooner) of the approved extension. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting

shall be replaced in the following planting season by plants of a size similar to those originally required to be planted (as shown on drawing ref: 3148-DR-2001 B).

Reason - In the interests of improving the amenities of Gate Cottage and protecting the amenities of neighbouring residents.

**Expiry Date: This permission will cease to have effect on 14/08/2026 unless development is commenced by that date.**

**ADVICE AND OTHER REMARKS:-**

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing building may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species 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 by emailing [info@societe.org.gg](mailto: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](http://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](mailto: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/2023/0188  
**Property Ref:** E009370000  
**Valid date:** 07/02/2023  
**Location:** Gate Cottage Les Rouvets Farm Bas Rouvets St. Saviour  
Guernsey GY7 9ND  
**Proposal:** Raise roof height to create accommodation at 1st floor level,  
extend and alter at ground floor level (protected Building).  
**Applicant:** Mr & Mrs West

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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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 - 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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Reason - in the interests of visual amenity and to ensure the same method and appearance of granite matches the original part of the building to conserve the Conservation Area and respect the special interest of the protected building.

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Reason - In the interests of improving the amenities of Gate Cottage and protecting the amenities of neighbouring residents.

## **INFORMATIVES**

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing building may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species 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 by emailing [info@societe.org.gg](mailto:info@societe.org.gg)

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## OFFICER'S REPORT

### Brief Description of the site:

The application site, known as Gate Cottage, comprises a detached barn located to the east of Les Rouvets Farm. The building had been converted to a dwelling-house in the early 1990s, although the ownership of the building and the adjacent farmhouse and other outbuildings remains under one ownership. The property is recognised as a protected building which forms part of a cluster of buildings which are all listed. The property lies within a Conservation Area and is located Outside of the Centres as designated in the Island Development Plan.

Planning permission is sought to raise the roof height to create accommodation at 1st floor level, as well as extending and altering the building at ground floor level. The proposal has been subject to pre-application advice.

The application was deferred due to concerns in relation to the relationship between Gate Cottage and the neighbouring property to the west, with particular focus on overlooking. Suggestions on improving the amenity space were also noted.

In response the agent has raised the cill height of the roof lights, incorporated a privacy screen at first floor level, and included a hard and soft landscaping scheme, in attempt to address the concerns raised.

### Relevant History:

|                |                                                                                                                                                                                                                                                                               |                         |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| PREA/2022/1302 | Raise ridge height and extend at first floor level, erect ground floor extension, install garden room and alterations                                                                                                                                                         | Pre-application enquiry |
| FULL/2022/0166 | 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) | Granted                 |
| PAPP/1993/3898 | Convert barn wing to habitable accommodation                                                                                                                                                                                                                                  | Granted                 |
| HAPP/1993/2698 | Alter lobby and convert barn wing to habitable accommodation (Proposal D)                                                                                                                                                                                                     | Granted                 |

### Existing Use(s):

Residential

**Assessment:** (Tick as appropriate)

|                     |                                     |
|---------------------|-------------------------------------|
| no representation   | <input checked="" type="checkbox"/> |
| accords with policy | <input checked="" type="checkbox"/> |
| within curtilage    | <input checked="" type="checkbox"/> |
| design acceptable   | <input checked="" type="checkbox"/> |

|                              |                                     |
|------------------------------|-------------------------------------|
| visual amenity acceptable    | <input checked="" type="checkbox"/> |
| no material neighbour impact | <input checked="" type="checkbox"/> |
| traffic not affected         | <input checked="" type="checkbox"/> |

**Policies considered most relevant:**

GP4 Conservation Areas  
GP5 Protected Buildings  
GP8 Design  
GP9 Sustainable development  
GP13 Householder Development

**Comments:**

La Société Guernesiaise

*In respect of this application, we would like to highlight that buildings of this type can be used by roosting bats (or other wildlife). This likelihood can increase when the property is located within a variable landscape with habitats such as farmland or woodland nearby. The ongoing Bailiwick Bat Survey has shown that there are bat populations in this particular part of the island.*

*We would recommend that the outbuilding, in particular the roofspaces, be inspected for current or recent use by bats by a suitably qualified person prior to any building works. This would reduce the risk of disturbing or destroying animals which are legally protected under the Animal Welfare Ordinance 2012.*

*We would request that, if this application is considered further, an informative note be added to the Information Sheet as follows -*

*'Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing building may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species 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 by emailing [info@societe.org.gg](mailto:info@societe.org.gg)*

**Conclusion/Brief comment:**

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.

The agent has provided a proportionate statement of significance which sets out how the original fabric of the building has been extensively altered over the years. In addition, the statement also sets out how the most sensitive parts of the building have been preserved, or designed appropriately to minimise the damage to those parts to an acceptable level. The proposal will result in some damage to the special interest, although the design has some benefits too, therefore there is no major harm to the site as a whole which would justify refusal.

The proposal adopts a high enough standard of design for the purposes of Policy GP8 when taking into account its scale, form, massing, and materials. The proposal will conserve the character and appearance of the Conservation Area as it will adopt a traditional roof form and will be finished in pan tiles to match the existing building and complement other buildings in the vicinity. The proposed materiality palette will sensitively modernise the building whilst respecting the sensitive surroundings.

By virtue of the revisions made to the scheme, the proposal will not adversely affect the amenities of neighbouring residents residing in the building to the west when taking into account the cill height of the roof-lights and privacy screen at first floor level.

The amendments to the site boundary will improve the relationship between Gate Cottage and the neighbouring residents to the west. It is necessary and reasonable to attach appropriate conditions to the decision to ensure an acceptable relationship is secured.

Overall, the proposal will not have a significant detrimental impact on the special interest of the protected building, Conservation Area, visual amenity, or the amenities of neighbouring residents.

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, accords with the purpose of the Law, and the requirements of the material considerations; it is therefore recommended that planning permission be granted, subject to conditions

**Recommendation:**

Grant with Conditions



**Date:** 07/08/23

