

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: Installation of solar panels to west and east roof slopes of western building, west roof slope of main building and flat roof to south of site (Protected Building).

LOCATION: Hotel De Havelet, Havelet, St. Peter Port.

APPLICANT: Hotel De Havelet Limited

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: 08/11/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/08/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: The Drawing Room - 380 B1A, ValkPro+ Installation Manual and Maxeon Blk 410-420 data sheet.

Application Ref: FULL/2023/1407

Property Ref: A407340000

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.

Expiry Date: This permission will cease to have effect on 07/11/2026 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/2023/1407
Property Ref: A407340000
Valid date: 07/08/2023
Location: Hotel De Havelet Havelet St. Peter Port Guernsey GY1 1BA
Proposal: Installation of solar panels to west and east roof slopes of western building, west roof slope of main building and flat roof to south of site (Protected Building).

Applicant: Hotel De Havelet Limited

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).

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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.

OFFICER'S REPORT

Brief Description of the site:

The site known as Hotel de Havelet begun life as an 18th century detached grand house, which became a hotel after the second world war. There are neighbouring properties to the west and across the road to the south. The land falls from the west to the east and Havelet Road winds down the hill along the west, and south boundaries. The hotel is located in the St Peter Port Main Centre Outer Area and Conservation Area as defined in the Island Development Plan. Part of the property is also a Protected Building.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Visitor economy use class 7: serviced visitor accommodation.

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

MC8: Visitor Accommodation in Main Centres and Main Centre Outer Areas
GP4: Conservation Areas
GP5: Protected Buildings
GP8: Design

Conclusion/Brief comment:

The Protected element of Hotel de Havelet is an 18th century two storey three bay building. The main façade, which faces east onto the front patio and car parking area, is of very high value to the special interest of the Protected Building. Initially the application was to install solar panels to both the front and rear roof slopes of the protected part of the hotel.

However, concerns were raised about installing solar panels on the front roof slope due to the adverse impact on the special interest of the main façade. Revised plans were subsequently received which omitted the solar panels on the front roof slope.

Solar panels are proposed to be installed on the flat roof of the newer building on the south boundary (which is not part of the protection), on both roof slopes of the outbuilding to the west of the site (also not part of the protection), and on the rear roof slope of the main protected hotel building, which is considered to be a reasonable aspiration which outweighs the harm to the protected building. No adverse effect on the setting of the protected building would result.

The main protected building at Hotel de Havelet contributes to the Conservation Area. It is, however, not prominent in longer views of the Hillside Town and is orientated such that the front (east) roof slope is not prominent in views from Havelet. The character, architectural and historic interest and appearance of the Conservation Area would be conserved.

The design of the solar panels are considered appropriate in this instance.

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: 07/11/2023