

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: Variations to previously approved plans to demolish chimney and erect flue, alterations to fenestration to south (rear) and east (side) elevations and internal alterations (Protected Building) - Alterations to windows and doors to north and west elevations.

LOCATION: Les Rouvets Farm, Bas Rouvets, St. Saviour.

APPLICANT: Mr & Mrs P 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: 26/04/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 27/03/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP Architecture - 3017 - DR-001, WD 06B & WD-32C

Application Ref: FULL/2024/0554

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 on or before 11/05/2025.

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. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 12/05/2022, issued under planning application reference FULL/2022/0166, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

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/2024/0554
Property Ref: E009370000
Valid date: 27/03/2024
Location: Les Rouvets Farm Bas Rouvets St. Saviour Guernsey GY7 9ND
Proposal: Variations to previously approved plans to demolish chimney and erect flue, alterations to fenestration to south (rear) and east (side) elevations and internal alterations (Protected Building) - Alterations to windows and doors to north and west elevations.

Applicant: Mr & Mrs P 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.

2. The development hereby permitted shall be begun on or before 11/05/2025.

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4. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 12/05/2022, issued under planning application reference FULL/2022/0166, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

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 was granted in 2022 (FULL/2022/0166) to demolish a chimney and erect flue, alter the fenestration and make internal alterations, amongst works to the garden. 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.

Permission is now sought to vary the permission (FULL/2022/0166) to alter the windows and doors to the north and west elevations respectively.

The proposal includes a 2-over-2 sliding sash configuration, rather than a 6-over-6 sliding sash design. The replacement windows will remain as timber.

The design of the doors has also changed.

Relevant History:

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
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Existing Use(s):

Residential

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:

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

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 and doors. It is understood that the windows were replaced with PVCu in the late 20th Century/early 21st Century, without planning permission.

Whilst the application is not supported by an understanding of the special interest of the windows and doors, and how they contribute or detract from the special interest of this protected building, the principle to replace the windows and doors in timber has already been established as part of FULL/2022/0166.

The request in this case, is the change in configuration from 6-over-6, to 2-over-2 sliding sash timber windows. The design of the doors has also subtly changed to correspond to the 2-over-2 window configuration.

Consequently, the proposed change in configuration and design will still make an enhancement to the special interest of the protected building, and therefore the replacement windows and doors are acceptable. The proposal is in accordance with Supplementary Guidance Note CN11 – Windows and Doors in Protected Buildings.

The proposed development will not harm the character and appearance of the Conservation Area.

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: 26/04/24