

**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:** Variation to previously approved plans to raise roof height and extend and alter dwelling, excavate and erect retaining walls and external steps to north-east (rear) of property and erect vinehouse to east boundary - alter position and material for dormer window to front elevation (retrospective).

**LOCATION:** Buttes House, Les Buttes, St. Pierre Du Bois.

**APPLICANT:** Dr's L & A Griffiths

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:** 15/11/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/09/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Blcok plan and annotated photos (dated 06/09/2024).

**Application Ref:** FULL/2024/1389

**Property Ref:** F005920000

**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 15/11/2027 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](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/2024/1389  
**Property Ref:** F005920000  
**Valid date:** 06/09/2024  
**Location:** Buttes House Les Buttes St. Pierre Du Bois Guernsey GY7 9SD  
**Proposal:** Variation to previously approved plans to raise roof height and extend and alter dwelling, excavate and erect retaining walls and external steps to north-east (rear) of property and erect vinehouse to east boundary - alter position and material for dormer window to front elevation (retrospective).

**Applicant:** Dr's L & A Griffiths

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

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## **OFFICER'S REPORT**

### **Brief Description of the site:**

The property known as 'Buttes House' is a mid to late 19<sup>th</sup> century detached two storey house with a smaller two storey barn attached to the northwest gable. The house has had dormer windows inserted to provide second storey accommodation in the early to mid-20<sup>th</sup> century and the barn was converted into habitable accommodation in the early 21<sup>st</sup> century. The property is set back from and faces southwest onto Rue des Buttes. The neighbouring properties to the northwest and southeast are facing south, there is a church across the road to the southwest and a large garden with open fields beyond to the northeast.

The property is located Outside of the Centres and within a Conservation Area as defined in the Island Development Plan. All of the immediate neighbours are Protected Buildings.

The property is noted as 'making a contribution to the character of the CA' in 'Designating Conservation Areas' March 2015, as it is part of a group of 18th and 19th century buildings around the church. The reason for designation is that St Pierre du Bois Church Conservation Area is notable due to its unusual church and associated historic cluster of development.

### **Relevant History:**

FUL/2020/2299 - Raise roof height and extend and alter dwelling, excavate and erect retaining walls and external steps to north-east (rear) of property and erect vinehouse to east boundary – Approved February 2021.

### **Existing Use(s):**

Residential use class 1: dwelling house.

### **Assessment:** *(Tick as appropriate)*

no representation  
accords with policy  
within curtilage  
design acceptable

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|---|
| ✓ |
| ✓ |
| ✓ |
| ✓ |

visual amenity acceptable  
no material neighbour impact  
traffic not affected

|   |
|---|
| ✓ |
| ✓ |
| ✓ |

**Policies considered most relevant:**

GP4: Conservation Areas

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

**Conclusion/Brief comment:**

This is a retrospective application to alter the position, proportions, and material of the three dormers on the southwest facing/front elevation.

Three dormers had been permitted as part of the previous application, however, the built dormers look different to the dormers windows which were shown on the approved drawings in scale, shape and overall appearance.

The design of the current three dormer windows and how they differ to the design as approved under FULL/2020/2299 are as follows;

- the proportions are irregular within the roof,
- the lead flashing is dressed further up the faces,
- the eaves are much higher,
- there is too much space between the head of the windows and the roofs of the dormers, the ridge tiles are detailed differently, and
- the cheeks were supposed to be clad in lead.

Although the changes are harmful to the character and appearance of the Conservation Area the as-built dormers replace a poorly designed catslide dormer (mid-20<sup>th</sup> Century) which detracted from the overall appearance of the building. The as built dormers are still considered to be an overall improvement to the building and the Conservation Area and the building is still identifiable as a 18<sup>th</sup>/19<sup>th</sup> Century building and its contribution to the Conservation Area as far as the 2015 report (referred to above) is concerned is unchanged.

This is a finely balanced case. The work to correct the dormers would result in the near complete removal and re-building together with works to the roof around and above them. The expense and disruption would not be proportionate to the harm that the dormers constructed in this particular case would cause to the Conservation Area. These dormer windows should not be seen as setting a precedent for any developments in this or other Conservation Areas.

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:** 14/11/2024

