

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND SECTION 19 OF THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

PROPOSALS: Install replacement windows to east (front) elevation
(Protected Building).

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

APPLICANT: Hotel De Havelet Ltd

I refer to the application referred to below received as valid on 09/09/2024 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 25/11/2024

Drawing Nos: The Drawing Room - 380 C1A, C3A, C4

Application Ref: FULL/2024/1476

Property Ref: A407340000

The Development & Planning Authority has decided to refuse your application under the provisions of section 16 of the Land Planning and Development (Guernsey) Law, 2005 for the following reasons:-

1. The proposals do not comply with Policy GP5: Protected Buildings or Guidance CN11: Windows and Doors in Protected Buildings because the left-hand window is a good example of an early 19th century window with fine glazing bars which makes a positive contribution to the overall special interest of the protected building. Therefore, given the requirement to consider repair over replacement and the fact that this window would be capable of repair, it would be contrary to Policy GP5.

OTHER REMARKS:-

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, against a decision to refuse an application for planning permission or outline planning permission to the Planning Tribunal on the merits. 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.

Copy of representations made

In reaching this decision the Development & Planning 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 to the Authority under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2024/1476
Property Ref: A407340000
Valid date: 09/09/2024
Location: Hotel De Havelet Havelet St. Peter Port Guernsey GY1 1BA
Proposal: Install replacement windows to east (front) elevation (Protected Building).
Applicant: Hotel De Havelet Ltd

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The proposals do not comply with Policy GP5: Protected Buildings or Guidance CN11: Windows and Doors in Protected Buildings because the left-hand window is a good example of an early 19th century window with fine glazing bars which makes a positive contribution to the overall special interest of the protected building. Therefore, given the requirement to consider repair over replacement and the fact that this window would be capable of repair, it would be contrary to Policy GP5.

OFFICER'S REPORT

Site Description:

The site known as The Hotel de Havelet is located on the north side of Havelet road towards the top of the road. The hotel faces east and there are residential properties in each direction, the closest being across the road to the south. The property is located in the St Peter Port Main Centre Outer Area and Conservation Area as defined in the Island Development Plan. The main hotel building is 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.

Brief Description of Development:

This application is to install replacement windows to the east front elevation of this protected building.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

MC8: Visitor Accommodation in Main Centres and Main Centre Outer Areas

GP4: Conservation Areas

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

Representations:

None

Consultations:

None

Summary of Issues:

- Design of the development.
- Impact of the development on the special interest of the Protected Building.
- Impact of the development on the special quality of the Conservation Area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

The proposal is to replace both large ground floor windows with double glazed timber replicas of the 6 over 9 tripartite window.

The left-hand tripartite window with 6 over 9 panes is likely to be from the early 19th century, it has very narrow glazing bars and the casement latches on the side windows have curled handles. There does appear to be localised areas of rot at the bottom of the window, sills and lower rails and there are some cracks in the timber around the hinges of the side casement. However, these issues are considered to be repairable and Policy GP5 advocates repair over replacement especially where the repairable element makes a positive contribution to the overall special interest of the protected building.

The right-hand window is a more recent replacement, it has the same proportions as the other window, but with horns and the main upper sash includes handles. The glazing bars have been omitted resulting in 1 over 1 panes, overall it does not match the fine detail of the other windows of the façade and detracts from the overall special interest, in particular of the façade. Because the window detracts from the façade its

replacement can be supported by the relevant policies. The application was deferred to allow the applicant and agent to provide further details to show that finer glazing bars could be achieved in a new double-glazed unit.

Replacing the right-hand window could comply with policy if it can be shown that the proportion of the glazing bars could satisfactorily match the left-hand window. The historic value of the left-hand window is fundamental to the appearance (aesthetic value) of the front façade of the protected building. The applicant has however declined the option to only replace the later addition right-hand window.

The left-hand window is a good example of an early 19th century window with fine glazing bars which makes a positive contribution to the overall special interest of the protected building. Therefore, given the requirement to consider repair over replacement and the fact that this window would be capable of repair, the proposal would be contrary to Policy GP5.

3 - General material considerations set out in the General Provisions Ordinance.

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 considered in the assessment of this application. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on protected Trees or Monuments or on SSS's.

Date: 21/11/2024