

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: Convert meeting room (Block H) into a three bedroom residential unit, install dormer windows to south elevation, rooflights to north elevation and alterations to the existing fenestration.

LOCATION: Block H, Sir John Leale Avenue, Victoria Avenue, St. Sampsons.

APPLICANT: Guernsey Housing Association

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: 22/12/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 30/09/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners Ltd: T30-10533-S1-04, 05 & 06

Application Ref: FULL/2021/2179

Property Ref: B01241F016

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 21/12/2024 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/2021/2179
Property Ref: B01241F016
Valid date: 30/09/2021
Location: Block H Sir John Leale Avenue Victoria Avenue St. Sampsons
Guernsey GY2 4AJ
Proposal: Convert meeting room (Block H) into a three bedroom
residential unit, install dormer windows to south elevation,
rooflights to north elevation and alterations to the existing
fenestration.
Applicant: Guernsey Housing Association

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).

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.

OFFICER'S REPORT

Brief Description of the site:

Sir John Leale Avenue is a clos of single-storey and one and a half-storey dwellings set back from the roadway and with parking provided to serve the development to the front of the properties.

The application relates to the conversion of the existing meeting hall with attic space above in Block H of Sir John Leale Avenue to a three bedroom dwelling with associated alterations to fenestration and the insertion of dormer windows and rooflights. Following the deferral of the application a request for a minor departure from the Island Development Plan was made in relation to Policy GP16(A). The application has also been accompanied by information relating to Policy GP9.

The unit that is the subject of this application marks the end of a terrace of buildings. It has a granite façade and large windows to the west and south to maximise light to the hall space. The entrance is via the south elevation and is served by an open porch. Outlook from the south is across a petanque playing area towards a dwelling with ground floor windows facing the hall.

The site is located Outside of the Centres and within an area at risk of flooding as designated in the Island Development Plan.

Relevant History:

FULL/2021/2174 - Erect single storey extension (Meeting Room) to west elevation (Block F) – granted

Existing Use(s):

Meeting hall

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

x
x
x
x

visual amenity acceptable
no material neighbour impact
traffic not affected

x
x
x

Policies considered most relevant:

Island Development Plan policies:

OC1: Housing Outside of the Centres
GP8: Design
GP9: Sustainable Development
GP16(A): Conversion of Redundant Buildings

Conclusion/Brief comment:

Policy OC1 makes provision for the creation of new dwellings only through the subdivision of an existing dwelling or the conversion of a redundant building. In this case, planning permission has been granted for a replacement meeting room therefore the proposal relates to the conversion of a redundant building.

Policy GP16(A) requires the building to be no longer required for or capable of being used for its current or last known purpose. The building remains in use as a meeting room as the replacement facility has not yet been constructed, therefore the scheme would not address criterion a) of Policy GP16(A) of the IDP. However, a written request for a minor departure from this individual criterion of policy GP16(A) of the Plan has been made. Permission has been granted for the replacement meeting room and both proposed developments are scheduled to take place concurrently. The minor departure request is therefore accepted in this case.

In accordance with criterion b) the scheme is for the conversion to a unit of residential accommodation and as a modern building it is clearly of sound and substantial construction capable of conversion without extensive alteration or rebuilding (criterion c)). The scheme includes the insertion of dormer windows to serve the first floor accommodation which represents only minor extensions to the building in accordance with criterion g).

The existing building is attractive and the proposed alterations to fenestration and the insertion of dormers will not have an unacceptable impact on the contribution the building makes to the character and appearance of the area. The alterations represent a good standard of design that accords with the aims of Policies GP8 and GP9 of the IDP.

Criterion d) regarding Protected Buildings and f) regarding the openness of the landscape are not relevant in this case.

In terms of the impact of the development on the amenities of neighbouring properties and the area this is a consideration of Policies GP16(A), GP8 and GP9. Although the use of the building will change there is adequate distance between the west and south elevations and adjoining dwellings to ensure that the residential use does not result in unacceptable overlooking or loss of privacy to these adjoining neighbours. Neighbours to the east will be screened from the existing ground floor window by existing boundary fencing. The dormers in the southern roofslope and rooflights in the northern roofslope will not result in unacceptable overlooking of adjoining properties and gardens and nor will these additions result in overshadowing or loss of light to occupiers of adjoining dwellings.

Utilising the attic as habitable accommodation within the building makes efficient and effective use of land and the scheme, with a ground floor bedroom and level access demonstrates accessibility to and within the building for people of all ages and abilities. The open plan arrangement of the ground floor and ground floor accessible bathroom with large hallway indicates that the accommodation is wheelchair accessible and could be adapted at a later date to respond to the needs of occupiers. The scheme therefore satisfies the aims of Policy GP8.

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.

In view of the above it is recommended planning permission is granted for the proposed development.

Recommendation:

Grant with Conditions



Date: 22 December 2021

