

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 outbuilding to dwelling (residential use class 1).

LOCATION: La Petite Vallee, Rue De Putron, St. Peter Port.

APPLICANT: Mrs J Monachan

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: 01/07/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 27/01/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Layout Plan, Floor Plans

Application Ref: FULL/2022/0266

Property Ref: A410580000

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.

4.No occupation of the dwelling shall take place until the outdoor amenity areas shown on the approved block layout plan have been completed and enclosed in accordance with the submitted details.

Reason - In the interests of the amenities and the quality of the living environment for the occupiers of the dwelling.

Expiry Date: This permission will cease to have effect on 30/06/2025 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/2022/0266
Property Ref: A410580000
Valid date: 27/01/2022
Location: La Petite Vallee Rue De Putron St. Peter Port Guernsey
GY1 2TE
Proposal: Convert outbuilding to dwelling (residential use class 1).

Applicant: Mrs J Monachan

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.

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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.

4. No occupation of the dwelling shall take place until the outdoor amenity areas shown on the approved block layout plan have been completed and enclosed in

accordance with the submitted details.

Reason - In the interests of the amenities and the quality of the living environment for the occupiers of the dwelling.

OFFICER'S REPORT

Site Description:

The site comprises of a detached dwelling situated on a large plot with a detached garage to the north of the dwelling and a detached two storey outbuilding (the building the subject of this application) along the west boundary adjacent to the driveway. The site is accessed from Rue De Putron via a driveway in the north-west corner and the site is set back from and positioned behind neighbouring properties which front onto Rue De Putron. The site is located Outside of the Centres.

Relevant History:

Nov 2020 – PREA/2020/2113 – Pre-application advice regarding change of use of annex to separate unit.

28/01/1994 – Permission granted to convert garage building to habitable accommodation.

Existing Use(s):

Residential use class 1: dwelling house

Brief Description of Development:

Planning permission is requested to convert a detached outbuilding into a 3 bed dwelling.

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

Policy OC1: Housing Outside of the Centres

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP16(A): Conversion of Redundant Buildings – Demolition and Redevelopment

Policy IP6: Transport Infrastructure and Support Facilities

Policy IP7: Private and Communal Car Parking

Policy IP9: Highway Safety, Accessibility and Capacity

Representations:

None

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. The principle of residential conversion.
2. Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

The application site is Outside of the Centres as defined in the Island Development Plan. As set out in Policy OC1, opportunities for new housing in such areas are limited to the subdivision of existing dwellings or the conversion of redundant buildings. Policy OC1 goes on to clarify that proposals for the conversion of redundant buildings to dwellings will be considered under Policies GP16(A) and GP16(B).

With regards to Policy GP16(A), the application is supported by a covering letter which sets out that the outbuilding was a former garage which was converted to habitable accommodation in 1994. The main dwelling provides more than sufficient accommodation for residential use as a 4 bedroom family house without the need for the outbuilding. In addition, the main dwelling also benefits from a double garage, pool room, covered cloister and a number of sheds. The outbuilding is situated more than 50 metres, door to door, from the main dwelling with this degree of separation having a significant limiting effect on the potential use of the outbuilding for ancillary accommodation.

It is accepted that due to a combination of the size of the main dwelling, the facilities that it is served by in terms of the double garage and various sheds/outbuildings, and the comparative size of the outbuilding the subject of this application and its layout and relationship to the main dwelling, the outbuilding the subject of this application is redundant for the purposes of Policy GP16(A).

The applicant advises that the existing outbuilding is in good condition and there is no reason to suggest that the outbuilding is not of a sound and substantial construction. No alterations to the outbuilding are proposed. The outbuilding is not a protected building. The site is not prominent in public views due to its siting to the rear of neighbouring properties which front onto the highway and consequently the installation of high timber fences to enclose an outdoor area to the north of the outbuilding would have no significant adverse effects on the character and appearance of the area. The use of the outbuilding as a separate dwelling would not be dissimilar to its existing use as ancillary habitable accommodation and together with the layout and/or distance to neighbouring properties, the change of use of the outbuilding to an independent dwelling is unlikely to have a material adverse effect on the amenities of neighbouring residents.

During the course of consideration the application was deferred due to concerns about the size and quality of the outdoor space for the proposed dwelling as originally proposed. In response revised plans have been received which seek to address the concerns raised by including an additional area of outdoor space to the south-east of the outbuilding.

The proposed 3 bed dwelling substantially exceeds minimum internal space standards, it includes adequate daylight/sunlight, outlook and privacy levels and the revised plans incorporate an adequate size and quality outdoor space. The layout of the dwelling provides for flexible and adaptable accommodation. Overall, the proposed dwelling would achieve a satisfactory standard of living environment.

Car parking provision would be adequate for the size of the dwelling in this location and there would be sufficient space to provide secure covered bicycle storage in future if required.

Information has been submitted to demonstrate that the design has taken into account the use of energy and resources, in accordance with Policy GP9.

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.

It is recommended that the application is approved.

Date: 01/07/2022

