

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: Change of use of offices to residential dwelling and internal alterations (Protected Building).

LOCATION: 28 Cornet Street, St. Peter Port.

APPLICANT: Mrs J Dorey

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: 07/07/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/04/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Chris Workman JD:22:03 02A.

Application Ref: FULL/2022/0613

Property Ref: A401380000

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 06/07/2025 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/2022/0613
Property Ref: A401380000
Valid date: 11/04/2022
Location: 28 Cornet Street St. Peter Port Guernsey GY1 1LF
Proposal: Change of use of offices to residential dwelling and internal alterations (Protected Building).

Applicant: Mrs J Dorey

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

Site Description:

28 Cornet Street is a three-storey building with garret located on the southeast side of Cornet Street adjacent to the Guernsey National Trust shop. The property has primarily timber casement windows and benefits from a small, raised garden/patio area to the rear. To the rear of the site is open land currently used for car parking, situated at a lower level than the application site. There are residential properties and offices found in the vicinity of the site.

The site is located in the Main Centre, Conservation Area and Archaeological Area as designated in the Island Development Plan. 30 Cornet Street is a Protected Building.

Relevant History:

Historically, 28 Cornet Street was a dwellinghouse that has been converted to office accommodation.

Jan 2003 PIP granted to convert the office to residential accommodation

With regard to the previous approval - The Protected Buildings officer noted that-- the property was one of several in a refurbishment scheme together with nos 30 & 32 Cornet Street-- he also noted that there was an approval to refurbish the premises in 1988 for residential purposes.

February 2006 PIP granted to convert the office to residential accommodation (re-issue)

February 2009 PIP granted to convert office accommodation to residential accommodation (re-issue)

Existing Use(s):

16 Office

Brief Description of Development:

The application relates to the change of use of the office to a single dwelling (residential use class 1), incorporating the introduction of a Juliette balcony to the east/rear elevation at third floor level. Various new internal partition walls are proposed in connection with the change of use of the building to a unit of residential accommodation. The application drawings show that the building would contain three bedrooms, open plan kitchen/diner on the ground floor, bedrooms on the first and second floors and a lounge, kitchenette and WC within the roofspace.

The application was deferred in order to omit the proposed alteration to form a Juliette balcony from the scheme due to the impact this would have on the special interest of the Protected Building. Revised plans were received to address this concern.

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

Island Development Plan policies:

MC2: Housing in Main Centres and Main Centre Outer Areas

MC4(A): Office Development in Main Centres

GP4: Conservation Areas

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

Representations:

None.

Consultations:

None.

Summary of Issues:

The key issues in this case relate to the principle of the proposed change of use, the impact of the proposals on the special interest of the Protected Building and the health and well-being of future occupiers of the development.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

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

The application form indicate that the office accommodation has a floor area of 174 square metres. As the accommodation is less than 250 square metres the requirements of Policy MC4(A) relating to the change of use of the office, in the Main Centre, have been satisfied in this instance and Policy MC2 has been satisfied because the proposal relates to the formation of a unit of residential accommodation, subject to all other relevant policies being addressed.

The layout of the building does consider the health and well-being of the future occupiers of the development by providing a three bedroom dwelling with outlook to the front and rear. The property benefits from a small external amenity space but the site is situated in close proximity to services and amenities and the coast (GP8).

The use of the building for residential purposes will not result in unacceptable harm to the amenities enjoyed by the occupiers of surrounding properties (GP8 and GP9).

No excavation works are proposed that would impact on buried archaeology therefore Policy GP7 of the Island Development Plan is not considered relevant in this case.

The effect of the external and internal alterations on the special interest is limited because the structural alterations will be minimal and in relation to the new partition walls, would be reversible (GP5).

With regard to Policy GP9: Sustainable Development, it has been demonstrated that the proposed development will comply with Building (Guernsey) Regulations 2012 and therefore has taken into account the use of energy, resources and any adverse impact on the environment.

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

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

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

The proposal would have no adverse impact on protected trees or sites.

Date: 05 July 2022