

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 existing outbuilding into a dwelling.

LOCATION: La Francerie, Rue Des Pres, St. Pierre Du Bois.

APPLICANT: Miss Liza Batiste

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: 26/01/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 21/06/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd - 6049/D/1a

Application Ref: FULL/2022/1321

Property Ref: F012330000

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 development shall begin on site until a scheme for the treatment of the south-west and south-east application site boundaries has been submitted to and agreed in writing by the Authority. No use or occupation of the building hereby permitted shall begin until the agreed scheme for boundary treatment has been fully completed.

Reason - In the interests of the amenities of the occupiers of the approved dwelling and in the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 25/01/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building may be used by bats or other wildlife for roosting and nesting. It is recommended that the site is inspected accordingly prior to any building works and additional measures may also need to be taken (including consideration of the timing of the works and provision to support wildlife in the long term) to ensure that any protected species present are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg.

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/2022/1321
Property Ref: F012330000
Valid date: 21/06/2022
Location: La Francerie Rue Des Pres St. Pierre Du Bois Guernsey GY7
Proposal: Convert existing outbuilding into a dwelling.

Applicant: Miss Liza Batiste

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.

4. No development shall begin on site until a scheme for the treatment of the south-west and south-east application site boundaries has been submitted to and agreed in writing by the Authority. No use or occupation of the building hereby permitted shall begin until the agreed scheme for boundary treatment has been fully completed.

Reason - In the interests of the amenities of the occupiers of the approved dwelling and in the interests of visual amenity.

INFORMATIVES

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OFFICER'S REPORT

Site Description:

The site is located on a narrow rural lane in St Peters and comprises of a traditional cottage, with a series of detached outbuildings and stables. This application relates to a former stable building situated adjacent to the entrance to the site and orientated gable end to the highway.

The building is partly stone, partly blockwork and partly rendered with a pan tile roof with later flat roof extensions to the south-east finished with a mix of slate, glazing and corrugated roofing.

The site is located in an Agriculture Priority Area and Airport Consultation Zone and is Outside of the Centres.

Relevant History:

04/08/2020 – PREA/2020/1198 – Pre-application enquiry regarding alter and convert outbuilding to create a dwelling.

22/11/2012 – FULL/2012/2980 – Permission granted to convert, alter and extend barn to form dower unit.

01/05/2012 – FULL/2012/0550 – Permission granted to demolish existing outbuildings at rear of dwelling and erect two stable blocks.

Existing Use(s):

Residential use class 1
Agricultural use class 28

Brief Description of Development:

Planning permission is requested to alter and convert an existing outbuilding to form a separate one bedroom dwelling. Parking for one vehicle would be provided to the south-west of the building, served by the existing driveway and access which would be shared with the existing dwelling. A small garden including a shed would be situated to the south-east of the building.

The application is supported by a Structural Engineer's Report by T&G Structural Engineers.

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

Policy OC1: Housing Outside of the Centres
Policy OC5(A): Agriculture Outside of the Centres – within the Agriculture Priority Areas
Policy GP8: Design
Policy GP9: Sustainable Development
Policy GP16(A): Conversion of Redundant Buildings
Policy IP6: Transport Infrastructure and Support Facilities
Policy IP7: Private and Communal Car Parking
Policy IP9: Highway Safety, Accessibility and Capacity

Representations:

One letter of representation was received on behalf of La Société Guernesiaise which highlights that buildings of this type can be used by roosting bats and other wildlife, particularly when the property is located within a variable landscape with habitats such as farmland and woodland nearby. La Société Guernesiaise recommend that the building is inspected for current or recent use by bats by a suitably qualified person prior to any building works to reduce the risk of disturbing or destroying animals which are protected under the Animal Welfare Ordinance 2012. La Société Guernesiaise recommend that an informative note to highlight the above is included in the decision notice.

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. The principle of residential conversion.
2. Whether the existing building is of sound and substantial construction and is capable of conversion without extensive alteration or rebuilding.
3. The impact of the development on the character and appearance of the area.
4. Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings.
5. The impact of the development on the amenity of people living in the area.

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).**

Policies OC1 and GP16(A) provide scope for the creation of new dwellings Outside of the Centres through the conversion of an existing building provided that specific criteria as set out in Policy GP16(A) are met.

The covering letters submitted with the application indicate that the existing building was last used as a stable in around 2012, prior to the construction of a new stable block. In addition, it is highlighted that there are a number of other domestic outbuildings on the site which are more than sufficient to provide domestic storage associated with the existing dwelling and to store equipment to maintain the agricultural land under the applicant's ownership and that the building is not required for any other ancillary domestic purpose. During a site visit it was evident that there are a number of other domestic outbuildings on the site which could adequately provide for domestic storage associated with the existing dwelling. In this case therefore it is accepted that the building is no longer required for its last known purpose.

The Structural Engineer's Report advises that the foundations are adequate and the walls are in a reasonable condition. The flat roof covering will need to be replaced and the pan tile roof can either be repaired in a few areas or the whole of the roof covering could be removed and replaced. The report concludes that the building is in a reasonable condition with only minors repairs required to granite walls and some additional stability within the proposed thermal lining.

In addition to the minor structural works noted above, it is proposed to replace windows and doors, mainly within existing openings, and to install external insulation to the building. Whilst it is unclear whether it is proposed to repair or replace the pan tile roof, the information submitted is sufficient to demonstrate that the existing building is of sound and substantial construction and is capable of conversion without extensive alteration or rebuilding.

The building is not located within the setting of a protected building and is not considered to be of either architectural or historic interest and does not make a positive contribution to the character and appearance of the area. The proposed dwelling and its associated curtilage would be confined to the existing domestic curtilage and would have no adverse effects on the character and openness of the landscape. No extensions are proposed. The building and associated works is set away from other residential properties, with the exception of the existing dwelling at the application site. However, the siting of windows, the layout of the site and its relationship with the existing dwelling is unlikely to result in any significant adverse effects on the amenities of the existing dwelling.

The proposed dwelling would substantially exceed minimum internal space standards as set out under the Building Regulations. Whilst the siting of the windows along the shared driveway would affect the degree of privacy enjoyed, pending the installation of suitable boundary treatments along the south-west and south-east boundaries (details of which could be requested by condition), the overall level of privacy for the dwelling would be adequate. The aspect/outlook, daylight/sunlight and the size and quality of the outdoor space would be adequate. Overall the proposed dwelling would provide a satisfactory living environment.

Ample car parking would be provided for both dwellings and there would be sufficient space within the associated properties to provide secure covered bicycle storage.

To address the comments raised on behalf of La Société Guernesiaise, it is recommended that a note is attached to the decision notice to make the applicant aware of the potential issues with disturbing animals which are protected under the Animal Welfare Ordinance 2012

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: 24/01/2023

