

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 section of ground floor and first floor levels to 2 flats (Residential Use Class 2).

LOCATION: The Trinity Centre, Upper Mansell Street, St. Peter Port.

APPLICANT: The Unit Partnership

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: 22/12/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/08/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Grey Bear 121-3- 301, 302A & 303.

Application Ref: FULL/2022/1482

Property Ref: A403220000

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.The bicycle storage shall be completed in accordance with the approved plans prior to the first occupation of either of the flats hereby approved and shall thereafter only be used by or in association with the flats hereby approved.

Reason - To encourage the use of bicycles as an alternative to the car.

Expiry Date: This permission will cease to have effect on 21/12/2025 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/2022/1482
Property Ref: A403220000
Valid date: 09/08/2022
Location: The Trinity Centre Upper Mansell Street St. Peter Port
Guernsey GY1 1LX
Proposal: Convert section of ground floor and first floor levels to 2 flats
(Residential Use Class 2).

Applicant: The Unit Partnership

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 - To encourage the use of bicycles as an alternative to the car.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested to convert a section of the ground floor and first floor level into two, 2 bedroom flats (Residential Use Class 2). The ground floor is currently used as an archive store and the first floor is currently an office.

The site is located in the St Peter Port Conservation Area and Main Centre Inner Boundary. The north-east section of the Trinity Centre which forms the corner between Trinity Square and Upper Mansell Street is a protected building. The application site does not form part of the protected building.

Relevant History:

FULL/2022/1830 – Application pending for the change of use from general retail (Use Class 10) to a cafe (Use Class 11) (Protected Building).

17/05/2022 – PREA/2022/0768 – Pre-application advice regarding change of use of office to 2 flats.

Existing Use(s):

Office

Assessment: (Tick as appropriate)

no representation
accords with policy
within curtilage
design acceptable

✓
✓
✓
✓

visual amenity acceptable
no material neighbour impact
traffic not affected

✓
✓
✓

Policies considered most relevant:

Policy MC2: Housing in Main Centres and Main Centre Outer Areas
Policy MC4(A): Office Development in Main Centres
Policy GP4: Conservation Areas

Policy GP8: Design

Policy GP9: Sustainable Development

Policy IP6: Transport Infrastructure and Support Facilities

Policy IP7: Private and Communal Car Parking

Conclusion/Brief comment:

The Trinity Centre comprises a mix of uses including office, community and retail. Although there are other office suites within the Trinity Centre, due to the layout and configuration of the building it is accepted that units the subject of this application can be considered as separate units. On this basis the floor space of the units is less than 250 square metres and consequently the loss of this small, tertiary office space accords with Policy MC4(A).

The proposal involves only minor external alterations to the fenestration along Upper Mansell Street and both the physical alterations to the building and the change of use of this section of the building to a residential use would conserve the character and appearance of the Conservation Area.

The health and well-being of the occupiers of the development requires consideration as set out in part (d) of Policy GP8 and explained in more detail in Annex I (Amenities). The objective to build at high densities is to be balanced, but not override, the need to create acceptable living environments. Although there are no rigid standards for amenities provision, the factors to be considered include internal space provision, privacy, aspect/outlook, access to external open space and daylight/sunlight.

The proposed flats include generous internal space which substantially exceeds the Guernsey Technical Standards minimum internal space standards and exceeds the best practice minimum internal space standards which are published on the Authority's website. The flats are single aspect with north facing windows and therefore the potential to receive sunlight will be poor. However, the size and number of windows would provide adequate daylight. The level of privacy of the ground floor flat is not ideal due to the nature of the windows at street level but the overall levels of privacy would be similar to neighbouring properties and would be adequate given its central town location and the character of built development in the area. Both of the flats would have a limited outlook over the street. No private or communal open space is provided on-site but it is acknowledged that there is communal open space within a reasonable walking distance.

The application site is within the historic core of St Peter Port where the buildings are developed closely to each other. It is not therefore expected that the levels of amenity would be as high as for other dwellings in less developed areas and a residential development on this site would not be expected to achieve high standards against all the amenity considerations. Despite the deficiencies of the proposed flats in some aspects, on balance, the proposal would provide a

satisfactory quality of residential environment for future occupiers, in accordance with Policy GP8.

The windows serving the flats would face towards neighbouring properties across the street. However, the distance between and the relationship of the windows with neighbouring properties is not uncommon throughout this historic core of St Peter Port and the proposal is unlikely to have a material adverse effect on the amenities of neighbouring residents.

No on-site car parking is provided which could increase the pressure on existing on-street parking as a result of the development. The scheme includes provision for bicycle storage for the flats and considering the nature of the development and their proximity to the services and amenities of St Peter Port (within walking distance), in this case the provision of on-site parking is not required. The proposal is unlikely to have a significant impact on road safety and traffic management and the proposal accords with the Parking Standards and Traffic Impact Assessment Supplementary Planning Guidance and Policies IP6 and IP7.

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.

Recommendation:

Grant with Conditions



Date: 22/12/2022