

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 and extend stable/outbuilding to create dwelling, change of use of agricultural land to domestic garden (825 sq.m.) with landscaping and parking.

LOCATION: Le Vivier (North), Les Salines Road, St. Sampson.

APPLICANT: Mr T Hearne

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: 02/08/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/01/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Drawing No: 1025 - 02 B1A & Biodiversity Statement (date stamped received 31/07/2023)

Application Ref: FULL/2023/0050

Property Ref: B01600A000+B01594B000

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 landscaping scheme/biodiversity enhancements shall be fully completed, in accordance with the approved plan (ref: 1025-02 B1A) and details contained within the Environment Guernsey Ltd Biodiversity Statement document July 2023 (date stamped 31/07/2023) within the first planting season following completion of the development, or prior to its first occupation (whichever is the sooner) or in accordance with a programme previously agreed in writing by the Authority. The site, landscaping and biodiversity enhancements shall be managed as stated within the document and any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory, to help assimilate the development into its surroundings and to ensure that the scheme provides biodiversity enhancements in accordance with the Strategy for Nature SPG.

5.Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2023 (or any other Ordinance replacing or re-enacting that Ordinance), no outbuildings and no gate, fence, wall or other means of enclosure (other than any hereby expressly permitted) shall be erected, constructed or placed on any part of the site.

Reason - In view of the sensitive nature of the site, the erection of such structures as 'exempt development' may have an adverse visual impact. This condition is imposed to make sure that any proposals can be properly considered.

6.The dwelling hereby approved shall be not be occupied until such time as the existing detached shed/outbuilding (however named) immediately to the south of the main building has been demolished and all ancillary materials, works and structures have been removed from the site.

Reason - In the interest of visual amenity and to protect the openness and landscape character of the surrounding area.

Expiry Date: This permission will cease to have effect on 01/08/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is brought to the issue of avoidable light pollution and its effects on the natural environment and associated wildlife, in particular bats. The existing site is not currently subject to extensive artificial lighting and it is therefore requested that external lighting be avoided or kept to a minimum as much as possible

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/2023/0050
Property Ref: B01600A000+B01594B000
Valid date: 12/01/2023
Location: Le Vivier (North) Les Salines Road St. Sampson Guernsey
Proposal: Convert and extend stable/outbuilding to create dwelling, change of use of agricultural land to domestic garden (825 sq.m.) with landscaping and parking.

Applicant: Mr T Hearne

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. The landscaping scheme/biodiversity enhancements shall be fully completed, in accordance with the approved plan (ref: 1025-02 B1A) and details contained within the Environment Guernsey Ltd Biodiversity Statement document July 2023 (date stamped 31/07/2023) within the first planting season following completion of the development, or prior to its first occupation (whichever is the sooner) or in accordance with a programme previously agreed in writing by the Authority. The site, landscaping and biodiversity enhancements shall be managed as stated within the document and any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory, to help assimilate the development into its surroundings and to ensure that the scheme provides biodiversity enhancements in accordance with the Strategy for Nature SPG.

5. Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2023 (or any other Ordinance replacing or re-enacting that Ordinance), no outbuildings and no gate, fence, wall or other means of enclosure (other than any hereby expressly permitted) shall be erected, constructed or placed on any part of the site.

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Reason - In the interest of visual amenity and to protect the openness and landscape character of the surrounding area.

INFORMATIVES

Your attention is brought to the issue of avoidable light pollution and its effects on the natural environment and associated wildlife, in particular bats. The existing site is not currently subject to extensive artificial lighting and it is therefore requested that external lighting be avoided or kept to a minimum as much as possible

OFFICER'S REPORT

Site Description:

The application site comprises an agricultural field with a former stable building and a shed situated in the northwest corner. Surrounding the site, the area comprises land to the north used as allotments, agricultural land to the east and south (although permissions have been granted to convert some of this land into residential curtilages) with residential properties beyond, and residential properties to the west and northwest.

Planning permission was granted (Ref: FULL/2022/0459) to form an access track from the field the subject of this application, across the land to the north (both sites are owned by the applicant of this application) and onto Les Salines Road.

The site is enclosed by earth banks, hedges, trees, walls and fencing, and is located Outside of the Centres and the subject of no other designation under the Island Development Plan.

Relevant History:

FULL/2022/0459	Remove section of wall and form bridge over douit for vehicle access between agricultural fields.	Granted 26/05/2022
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Existing Use(s):

Former stables

Brief Description of Development:

Planning permission is sought to convert and extend the existing stable/outbuilding to create a dwelling and to change the use of the a section of agricultural land (circa 1690m²) to form associated garden area with landscaping and parking.

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

Island Development Plan Policies:

- OC1: Housing Outside of the Centres;
- GP1: Landscape Character and Open Land;
- GP8: Design;
- GP9: Sustainable development;
- GP15: Creation and Extension of Curtilage;
- GP16(a): Conversion of Redundant Buildings;
- IP9: Highway Safety, Accessibility and Capacity;

Representations:

One letter of representation was received objecting to the development proposed. The grounds for objection are summarised as follows:

- The loss of 1690m² of open agricultural land would be contrary to and would not meet the “reasonable balance” of paragraph 19.16.4;
- The Strategic Land Use Plan (SLUP) requires the protection of open land and agricultural land;
- It is not a reasonable expectation for such a large area of land to be required and is excessive for one household;
- The proposal would be contrary to Policy GP15 as it would have a detrimental impact on landscape character;
- The development runs contrary to:
 - o The Land Planning and Development (Guernsey) Law, under Purposes of this Law 1(c), (e) and (f);
 - o The Strategy for Nature which requires net biodiversity gain;
 - o The SLUP - 10 The Natural Environment;
 - o The IDP which is informed by the SLUP;
- Although planning conditions can be applied to safeguard wildlife and biodiversity, these only last a few years which in the longer term can be ignored by the applicant;
- In the long term, the scheme will lead to the loss of wildlife at the site as the ex agricultural field becomes standard, poor biodiversity domestic curtilage.

Consultations:

La Societe by email dated 17th January 2023 raised concern with the scheme and stated the following:

“La Societe remains concerned over the reclassification of agricultural land to domestic curtilage. However, as the Island Development Plan currently permits the consideration of such applications, we seek to optimize ecological gains in such cases wherever possible.

We note that the application does not include specific biodiversity measures apart from an area of wildflower meadow. Details of what would be sown and how it would be maintained are not provided. Similarly, although a new earthbank and hedge is proposed, the planting of non-native Holm Oak would result in minimal associated wildlife value; alternative native species would host much more biodiversity. We would suggest that in order to justify an area of domestic curtilage measuring 1,690sqm, there should be more provision for biodiversity, or at the least, the proposed measures should be optimised ecologically.

We wish to advise that La Societe would be able to assist with such measures, for example to arrange surveys of the existing site and to provide suitable recommendations on how the land could be enhanced in terms of its ecological value

by appropriate native planting and ongoing maintenance. La Societe can be contacted by emailing info@societe.org.qg

We would also highlight the environmental impact of light pollution on many types of wildlife such as birds, bats and insects. Such pollution can be particularly problematic when introduced to a new site such as this one, where existing sources of artificial light are relatively sparse.

We would ask that the Planning Service consider this aspect in relation to the application. We would further request that, if this application is approved, an informative note be added to the Information Sheet as follows -

‘Your attention is brought to the issue of avoidable light pollution and its effects on the natural environment and associated wildlife, in particular bats. The existing site is not currently subject to extensive artificial lighting and it is therefore requested that external lighting be avoided or kept to a minimum as much as possible’.

Summary of Issues:

The main issues in deciding this application are:

1. whether the principle of conversion is acceptable;
2. the impact of the development on the character and appearance of the surrounding area;
3. the impact of the development on the amenity of people living in the area
4. parking and access issues,

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues set out in 2 below.

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

The Spatial Policy of the Island Development Plan, expressed through Policy S1 (Spatial Policy), is to, *“concentrate the majority of new development in the Main Centres and the Main Centre Outer Areas to maintain the vitality of these areas...and to allow for development Outside of the Centres in identified specific circumstances, in accordance with the Strategic Land Use Plan.”*

This approach is reinforced through Policy S4 (Outside of the Centres) and the introduction to Part 3 of the Plan *Policies for Outside of the Centres* which, whilst acknowledging that the Plan makes provision for certain types of development Outside of the Centres, states that proposals for new housing will not generally be supported Outside of the Centres.

Policy OC1 (Housing Outside of the Centres) sets out potential exceptions to this direction, stating that the creation of new dwellings Outside of the Centres will only be supported where it is achieved through the subdivision of an existing dwelling, or the conversion of an existing redundant building, and directs proposals for conversion of redundant buildings to be considered principally under Policy GP16(A) (Conversion of Redundant Buildings).

The proposal is assessed against the criteria (shown in bold text) of Policy GP16(A) below.

a) it is demonstrated that the building is no longer required or capable of being used for its current or last known purpose;

The building the subject of this application is a former stable building and tack store. Following a visit to the site it is evident that the building has long been rendered redundant for its intended use and appears to have been used for ad hoc storage storing a small ride on mower and various timbers, although this has never been formally authorised in planning terms. The applicant purchased the building and the adjoining land in 2021 and since then has marketed the site for use as a stables. In 2022 the applicant secured planning permission to remove a section of wall and form a bridge over an existing drouit to create a vehicle access and connect the site to Les Salines Road to the north (Ref: FULL/2022/0459). The applicant was hopeful that this would increase the chances of securing a tenant for the stables and surrounding land but to no avail.

Evidence has been provided to show that the applicant has been in contact with multiple local estate agents to secure a tenant for the stable building and land, but they were not willing to advertise the building for rental due to the potential rental yield being low and commercially unviable for them to do so. The applicant subsequently advertised the site in local papers, sales pages, social media and spoke to various local riding groups to gain a tenant with no substantive interest shown due to various reasons which have been clarified in supporting evidence as part of the application. The evidence provided demonstrates that the building is no longer required or capable of being used for its last known purpose as a stables. Criterion (a) has therefore been satisfied in this case.

b) the conversion will result in the establishment of either residential, social and community, industrial, storage and distribution, convenience retail in coastal locations in accordance with Policy OC4, visitor accommodation or office use or provide facilities for outdoor formal recreation or informal leisure and recreation uses.

The application relates to the provision of a single unit of residential accommodation comprising a lounge, kitchen, bathroom, bedroom, porch and glazed link all at ground floor level. The residential use proposed accords with criterion (b) of policy GP16(A).

c) the existing building is of sound and substantial construction and is capable of conversion without extensive alteration or rebuilding

Following the approach taken by the Planning Tribunal in relation to an appeal for a similar scheme (Ref: PAP/008/2019) this criterion will be assessed in two parts. Firstly, whether the building is of sound and substantial construction (in relation to the use originally intended), and secondly, an assessment as to whether the building is capable of conversion without extensive alteration or rebuilding.

As part of the application a structural report together with survey and cross section drawings have been submitted. The conclusions set out in that report, together with observations made during site visits undertaken by the Planning Service, have identified that this building appears to be in generally good condition and is of sound and substantial construction suitable for its originally intended use as a stables and tack room.

The preceding text of Policy GP16(A) sets out clearly in paragraphs 19.17.3, 19.17.6 and 19.17.7 that the scale and nature of the works proposed in each case will be considered by the Authority. The proposed use influences the nature and scale of works that may be required to reuse the building. This was envisaged in the IDP policy framework when considering the opportunities to re-use buildings and bring forward development Outside of the Centres in ways that would not undermine the spatial strategy (paragraph 19.7.2) i.e. some buildings may require little alteration to be suitable to be reused for industry or storage, whilst the same building may require much more significant works to be converted into one of the other uses acceptable under the policy (such as residential).

In deciding the appeal (referred to above), the Tribunal considered it appropriate when assessing whether a building is capable of conversion without extensive alteration or rebuilding to distinguish between three distinct categories of building work that seem to have different underlying purposes. That approach has been followed in this case, with the following assessment based on the information provided on the application drawings, within the structural report and supporting information

- (i) works of structural repair, upgrading and renewal that may be necessary to render the building safe and structurally capable of accommodating the proposed new use;

The report confirms that the stable block is robust in its construction with the condition and nature of the stonework, with the large quoins to all elevations and reveals to the door openings been constructed at some expense. It suggests that the building is likely to date back to the early 1900's. The report confirms that the external walls are constructed from granite with a thickness of between 350mm and 450mm to a height of 1.6m, with a course of block and timber frame above. The roof is constructed from softwood 170mm x 50mm timber rafters at 600mm centres with a clear span of 4m, supported off the blockwork and timber frame. Trial pits have

been dug around the building (photographic evidence has been provided to show this) which confirm that the depth of foundation is approximately 500mm deep below ground level, exceeding current minimal standards of 450mm. There is no significant foundation movement or displacement.

The tack room is located at the south of the stable block and is a later historic addition to the building. The report confirms that it is timber frame construction, which is clad externally in profiled metal cladding, internally lined in ply. The floor slab also forms the foundation at an appropriate thickness whilst not reinforced is free from any significant movement or displacement.

The report confirms that whilst areas of granite walls require some repointing and that some areas of the granite at higher level need to be repaired and reinstated and a timber fascia board reinstated, these works are considered repair works that would be Exempt for the purpose of the planning regulations and would not require planning permission. Other than these repairs the report confirms that the only other external alterations proposed would be the installation of a small rooflight to the bathroom and the replacement of the ply sheeting (which span existing apertures within the building) with doors and windows as shown on the application drawings.

These works to the existing fabric of the buildings are considered to be relatively minor in terms of scale and extent, and therefore for the purposes of criterion (c) to Policy GP16(A) are not extensive.

- (ii) works intended to bring the main fabric of the building up to current constructional standards to satisfy building regulations;

The application details clarify that the ground slab will be retained as the structural slab, with damp proofing, insulation and floor coverings applied. The report confirms that the existing floor will allow for screed and insulation to be installed over the top, without compromising building layout or required ceiling heights and confirms that the existing foundations safely sustain the existing and proposed increase in load.

The gable walls and the roof structure and framing are to be retained with an internal lining of damp proofing and insulation applied. The report confirms that the structure can sustain any additional loads applied. No upgrade to the structure of the building is therefore required.

With regard to the thermal insulation of floors, walls and ceilings as proposed, and in light of the above referenced appeal decision, it is recognised that works necessary to bring existing building fabric up to current Building Regulation standards in terms of freedom from damp and thermal and sound insulation are known to be a common feature of schemes involving the conversion of buildings into alternative uses, and therefore such works are considered to be neutral in terms of their impact on the objectives of Policy GP16(A) of the IDP.

- (iii) works of internal and external alteration, renewal and fitting out that are specifically designed to facilitate the requirements of the new use (e.g. insertion of new windows and roof lights).

The application drawings show that a new opening will be formed in the main fabric of the building in the east facing elevation to create access into the proposed glazed link that will form an access into the lounge. Should the glazed link not be proposed, the opening could be formed internally in the south elevation of the building (which would not require planning permission) providing access between the proposed lounge and kitchen. The opening is therefore not required to make the space useable for the intended purpose and windows already exist that will provide sufficient outlook, light and means of escape for the lounge and kitchen. The porch and glazed link are minimal in terms of their size and are only required for additional outlook to improve the living accommodation, they could be removed from the scheme if required and the proposal would still provide a good standard of accommodation for future occupiers.

Windows and doors are proposed to be installed within existing apertures and other than the new opening referred to above no other openings will be formed within the building. Internal works to subdivide and fit out the interiors of the building are also proposed.

The installation of fenestration and the internal alterations proposed (which includes the construction of partitions to create new room arrangements, and the provision of new services and fittings), are all representative of the types of alterations that are generally required for the conversion of buildings into alternative uses and are therefore considered to be neutral for the purpose of GP16(A).

Based on all of the above, the application is considered to comply with criterion (c) of Policy GP16(A).

- d) the proposals would have no adverse impacts on the special interest of a protected building and that such interest is appropriately and proportionately preserved and, where possible, enhanced**

The building the subject of this application is not protected and there are no protected buildings near to the site. The proposal would therefore not have an impact on any Protected Buildings.

- e) the proposals would have no unacceptable impacts on the contribution a building of character makes to the character and appearance of the area**

The subject building is not considered to be of either architectural or historic interest. The building does not make a positive contribution to the character and appearance of the area. On this basis it is concluded that Policy GP16(A)e) would not be relevant in this case.

- f) the conversion and any ancillary development associated with it can be implemented without having any unacceptable adverse impacts on the character and openness of the landscape**

The creation of curtilage associated with the conversion would also fall to be considered under Policies OC5(B) (Agriculture Outside of the Centres), and GP15 (Creation and extension of curtilage). In addition, Policy GP1 is relevant in relation to the impact on open and undeveloped land.

Those policies support the principle of a change of use provided that a number of detailed policy criteria are met, and those criteria are addressed below.

Following deferral of the scheme and the submission of revised plans, the extent of residential curtilage associated with the development proposed has been reduced from 1690m² to circa 825m² a level proportionate with the size of the building whilst also enabling sufficient private amenity space for the future occupiers of the scheme.

To the front (east of the building) following deferral and as part of the revised scheme the extent of hardstanding has also been reduced to a minimum, to allow cars to safely access, park, turn within and leave the site forward facing. The drawings show that the area of hardstanding will also be paved in permeable brick paving which is an acceptable material for the surroundings.

The States has adopted the Strategy for Nature SPG and to ensure that environmental benefits in respect of biodiversity are introduced in line with the SPG, the application was deferred to seek further details. A Biodiversity Statement and landscaping scheme (produced by Environment Guernsey) has been prepared and submitted for the site confirming the type and density of planting proposed. In summary the scheme proposes the creation of an earthbank around the perimeter of the proposed domestic curtilage to appropriately demarcate this land from the remaining agricultural land. The report confirms that the earthbanks will be constructed following the guidance contained in the States Conservation Advice Note 3: Earthbanks in Guernsey, a cross section of the construction of the earthbank is also shown on the application drawing. On top of the earthbank, a new native hedge will be planted to offer an element of screening to help the development assimilate into the surroundings whilst improving the biodiversity of the site. In the southeast corner of the site an area of circa 140m² will be planted to create a wildflower meadow with appropriate seeds planted. The existing grassland is proposed to be enhanced over the long term using appropriate management principles and the natural vegetation buffer along the douit is proposed to be retained and increased to a width of 4 to 5 ft to provide a wildlife corridor. The landscaping scheme also confirms that access to the remaining agricultural land will be retained in the northeast corner and details the future management of the site to ensure that biodiversity enhancement is maintained longer term. The landscaping scheme is acceptable and accords with the aims and provisions of the SPG.

The IDP recognises there is a balance between protecting open and agricultural land and other legitimate uses Outside of the Centres. The designation of the Agriculture Priority Area (APA) represents the Island's most valuable agricultural area. Although the proposal will result in the loss of agricultural land, in this instance, given that the land is outside of the APA, the balance would not be towards protecting this land for agricultural purposes.

Furthermore, the proposed residential curtilage is relatively limited in extent and the land surrounding the residential unit will remain open. To safeguard the openness of the surrounding area it is recommended that a conditions are included on any permission to remove Exemption rights for the erection of any outbuildings, boundary walls, fences or enclosures and to ensure that the existing shed/outbuilding immediately to the south of the proposed dwelling is removed from the site prior to first occupation.

Overall, it is considered that provided that the landscaping scheme is implemented in accordance with the submitted details (controlled by condition) any negative impacts on the character and appearance and landscape character of the surrounding area would not be so substantial to warrant the refusal of planning permission. It is considered therefore that for the above reasons the revised scheme accords with criterion (f) of Policy GP16(A) and Policy GP1,

g) the conversion would not require more than a modest extension to the existing building for it to be achieved;

The proposal includes the provision of a glazed link between the kitchen and lounge and a small entrance porch. These are limited in terms of the floorspace that they will create and are proposed to provide additional light and outlook into the kitchen and living area. They represent an increase of 17% of floorspace which is below the 20% usually deemed to be acceptable as a modest extension for the purpose of this criterion. The extensions are not required for the scheme to be achieved. The scheme therefore complies with criterion (g) of Policy GP16(A).

h) the proposal would have no unacceptable adverse impacts on the amenities and enjoyment of neighbouring properties and the surrounding area.

Policy GP8: Design also addresses issues relating to the amenities of surrounding residents and the character and appearance of the locality.

The building is surrounded by fields in all directions and the field to the north (also owned by the applicant) provides allotments. Beyond the fields to the north and south are residential properties the closest of which is circa 65m distance. The site borders the residential curtilage of a neighbouring property to the northwest however, substantial trees and hedges are situated along the shared boundary. Furthermore the scheme is contained at single storey level and now windows are proposed or would face towards the garden area. The scheme would therefore not harm the amenity of any surrounding residential properties.

It is considered that for these reasons, the proposal complies with criterion (h) of GP16(A) and Policy GP8 in this respect.

Parking and access issues

The building will be accessed from an existing access point into the site to the north, that was granted permission subject to application reference FULL/2022/0459. An area of hardstanding is proposed immediately to the east of the building which will accommodate two car parking spaces and a turning facility, to allow vehicles to access and leave the site forward facing. The area of hardstanding has been reduced in size and will be constructed from permeable paving following deferral of the application.

Given the limited size of the unit it is not anticipated that associated vehicle movements would not cause considerable harm to the amenities of the surrounding area or on the surrounding highway network. This proposal would therefore not result in any harm to highway safety.

For the above reasons it is considered that the proposal complies with Policy IP9 of the IDP.

Other matters

Residential amenity

The design and layout of the scheme works well with the existing form and fabric of the building. All rooms will have sufficient natural light provided to them and sufficient ventilation.

The application drawings show that the level of accommodation to be provided exceeds Guernsey Building Regulation Guidance and satisfies the DCLG Guidance contained in the 'Technical Housing Standards - National Described Space Standards' guidance note. There is parking for two cars, and space exits on the site to provide a bicycle shelter or similar in accordance with the relevant planning policies.

The size and quality of the outdoor space would be good and there would be an attractive outlook from the building. Overall, the proposed dwelling could provide an adequate living environment, in accordance with Policy GP8(d) and Annex I: Amenities.

Sustainability, accessibility and adaptability

In terms of accessibility to and within the building and the provision of flexible accommodation, the submitted information details level access and good circulation, with the accommodation provided over a single level making the building and accommodation accessible by all.

Confirmation has also been received that the proposed development has been designed to consider matters of energy efficiency and current Building Regulations in accordance with Policy GP9. In the absence of further guidance in relation to this policy, the submitted information is considered adequate.

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; the effect of the proposed which the site could be put without further planning permission; 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, buildings, or sites.

Date: 02/08/2023

