

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 outbuildings (Residential Use Class 1) to self-catering/glamping hut and associated facilities (Visitor Economy Use Class 8).

LOCATION: Les Corneilles Farm, Rue Des Corneilles, Castel.

APPLICANT: Mr & Mrs P Kasparis

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: 13/04/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/02/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: The Drawing Room: 304/D1, /D2 & /D3.

Application Ref: FULL/2023/0253

Property Ref: D012940000

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 use hereby permitted shall be operated only by the occupants of the adjacent dwelling known as Les Corneilles Farm and, should the approved use cease, the structures shall revert to accommodation ancillary and incidental to the residential use of that dwelling.

Reason - Taking into account the proximity to the existing dwelling and the shared parking facilities, the independent operation of the visitor use would be likely to raise issues in respect of amenity.

5.The accommodation hereby permitted shall not be occupied by any individual or group for a continuous period exceeding 28 days.

Reason - To ensure that the site is used for visitor accommodation purposes only. Any other type of occupation would raise different planning considerations.

Expiry Date: This permission will cease to have effect on 12/04/2026 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/2023/0253
Property Ref: D012940000
Valid date: 09/02/2023
Location: Les Corneilles Farm Rue Des Corneilles Castel Guernsey GY5 7BP
Proposal: Change of use of outbuildings (Residential Use Class 1) to self-catering/glamping hut and associated facilities (Visitor Economy Use Class 8).
Applicant: Mr & Mrs P Kasparis

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 use hereby permitted shall be operated only by the occupants of the adjacent dwelling known as Les Corneilles Farm and, should the approved use cease, the structures shall revert to accommodation ancillary and incidental to the residential use of that dwelling.

Reason - Taking into account the proximity to the existing dwelling and the shared parking facilities, the independent operation of the visitor use would be likely to raise issues in respect of amenity.

5. The accommodation hereby permitted shall not be occupied by any individual or group for a continuous period exceeding 28 days.

Reason - To ensure that the site is used for visitor accommodation purposes only. Any other type of occupation would raise different planning considerations.

OFFICER'S REPORT

Site Description:

The application site is located to the east of Rue des Corneilles, to the north of Ruelle de Fries and to the south of Ruelle des Cherfs, Outside of the Centres in the Island Development Plan. The site comprises agricultural land to the north, the main dwellinghouse in the centre and extended curtilage to the south. Residential properties are located to the south-east, with a sand school and open fields abutting the east boundary.

Relevant History:

FULL/2021/2029 Change of use of agricultural land to domestic garden (1,662sqm).
Approved 30/11/2021

FULL/2022/1170 Erect outbuilding/office to north of site, outbuilding/sauna unit to south of site, remove and replace hedge to south and east boundary. Approved 18/07/2022

Existing Use(s):

Residential Use Class 1

Brief Description of Development:

Permission is sought for the change of use of an existing outbuilding (Residential Use Class 1) to self-catering/glamping hut (Visitor Economy Use Class 8). The occupants

of the self-catering unit would also have access to the adjacent igluhut, which comprises a sauna.

In support of the application the following points are made:

- The hut will be used year round, and no occupant will stay for more than 28 days;
- Should the visitor accommodation use cease, the outbuilding will revert to use ancillary to that of the house.

The submitted plans show other works, including the replacement of the boundary hedging and the installation of decking, these works do not however form part of the current application, and were approved separately under FULL/2022/1170, and there would be no recourse to attach further conditions in relation to those works to any decision issued under the current application.

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

OC8(A)	Visitor Accommodation Outside of the Centres – New, Extension, Alteration or Redevelopment of Existing Uses
GP8	Design
GP9	Sustainable Development
IP6	Transport Infrastructure and Support Facilities
IP7	Private and Communal Car Parking
IP9	Highway Safety, Accessibility and Capacity

Representations:

One letter of representation requesting that any hedge replacement be of native species.

Consultations:

None undertaken.

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).**

Policy OC8(A) supports the provision of new visitor accommodation Outside of the Centres where it is created through the change of use of existing buildings. In this case the approved structure is in place on site, the use would be small scale and low key, appropriate to the character of the location, and would utilise an existing

structure located within domestic curtilage, therefore preventing any impact on openness or landscape character. Whilst no additional works are proposed in association with the change of use, and no change of use is proposed of the surrounding domestic land, it is noted that the occupants of the self-catering unit would have access to the sauna within the adjacent igluhut. Whilst this use would be acceptable, it should be noted that the authorised use of the sauna hut is for purposes ancillary to uses at the site only, and no consent has been granted for any commercial use of this structure by persons not living or staying at the site.

The proposal utilises an existing structure and no physical alterations are proposed. The submitted plans indicate additional planting. Whilst this is to be encouraged, the current application would not result in any form of development which requires mitigation through planting and it would not therefore be reasonable to attach additional conditions in relation to planting in this instance.

A single parking space is proposed to be allocated to the self-catering unit, which would be appropriate for the size of unit proposed. The space would be located on an existing parking area forward of the dwellinghouse, at a distance from the self-catering unit (c50m) and occupants of the self-catering unit would be required to walk along a section of road to access the unit (utilising an existing pedestrian gateway in the boundary wall). The proposal would however limit any impacts on the character of the area which may arise from the creation of additional vehicular access and parking, and the nature of the adjoining road would limit any road safety concerns.

Given the association with the main dwelling, it is not however considered appropriate for the unit to be operated independently of that dwelling in this case, and the operation of the unit should be controlled by condition.

The proposed accommodation is set away from nearby residential property and would not result in any impacts on the amenities of those properties.

The application is for the creation of visitor accommodation only, and not for any permanent or long stay residential use. Any such use would require different planning considerations and, to ensure that the use remains as authorised, it is recommended that the length of stay of any potential occupant is limited to a maximum of 28 days.

Subject to the above conditions, the proposal accords with the purpose of the Law, material considerations and relevant planning policies. Consequently it is recommended that the application be approved.

Date: 06/04/2023

