

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 dwelling (Use Class 1) to House of Multiple Occupation for staff accommodation (Use Class 6) and alterations to fenestration.

LOCATION: Rook's Dene, First Tower Lane, Le Grand Bouet, St. Peter Port.

APPLICANT: 34 SGE Limited

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: 12/06/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/05/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP Architecture: 2388-10 SK-003A, 100A, 120A, 200B & 250

Application Ref: FULL/2023/0754

Property Ref: A10426A000

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 11/06/2026 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/2023/0754
Property Ref: A10426A000
Valid date: 16/05/2023
Location: Rook's Dene First Tower Lane Le Grand Bouet St. Peter Port
Guernsey GY1 2RZ
Proposal: Change of use of dwelling (Use Class 1) to House of Multiple
Occupation for staff accommodation (Use Class 6) and
alterations to fenestration.
Applicant: 34 SGE Limited

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.

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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

Brief Description of the site:

The property known as 'Rook's Dene' is a large detached 1980's dwelling which had been added to over the years. The property is set back from and faces south onto First Tower Lane. There is another detached property to the west a block of flats to the north, a commercial building to the east and across the road to the south is a multi-storey car park. The property is located in the St Peter Port Main Centre Outer Area as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

MC2: Housing in Main Centres and Main Centre Outer Areas

GP8: Design

GP9: Sustainable Development

IP6: Transport infrastructure and Support Facilities

IP7: Private and Communal Car Parking

Consultations:

The Office of Environmental Health and Pollution Management.

'I have reviewed the proposed plans for change of use to a house in multiple occupation which were received by email on 17th May.'

I note the applicant has referred to <https://www.gov.gg/housingstandards> which details the current minimum standards for rental accommodation. It should be noted that the States of Guernsey passed the Housing (Standards and Regulation) (Enabling Provisions) Law in 2021. The purpose of this law is to enable the drafting of legislation which will improve rental property housing standards, including houses in multiple occupation. The applicant is advised to consider the applications in relation to future legal requirements, and I would be happy to discuss any proposed amendments to the submitted plans.

The applicant has indicated that a maximum 16 occupants will be housed, therefore the cooking and bathing facilities indicated on the plans are sufficient.'

Conclusion/Brief comment:

The proposal is for the change of use of the existing dwellinghouse, to a House of Multiple Occupation (HMO) – Use Class 6. The proposed HMO has 6x bedrooms with 3x bathrooms and 3x 1 bed self-contained flats over three floors with a large kitchen/dinning/lounge common area.

The only external alterations are on the front south elevation where one garage door will be blocked up to create a utility/storage room with an additional WC, and the other garage door will become a window. The external proposals achieve a good standard of design, and are not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will they have any impact on either of the immediate neighbours.

Policy MC2 sets out that housing development includes new build housing, change of use to housing from other uses and the conversion and subdivision of existing buildings. The plan also seeks to provide a mix of tenures, housing sizes and types. This scheme relates to the subdivision of an existing dwelling to offer a house of multiple occupation (HMO) with 9 rooms which would make more efficient use of an existing building in line with the aims of Policy MC2 and the Island Development Plan (IDP).

The amenity provided by the proposal for future occupants has been considered and Environmental Health have assessed the application and raised no objection to the proposal. Overall, the scheme accords with the CGPRA guidance, and all bedrooms and the kitchen/dinning/lounge area exceed the minimum space standards. The private garden is considered adequate in the provision of outside amenity space for future occupants.

Neighbouring amenity has also been considered and as the site is located in a residential area, the use of the building as an HMO is compatible with the surrounding area. A mix of housing types within the Main Centre is encouraged by Policy MC2 and this inevitably leads to a mixture of tenures which may be more noticeable within a small group of houses which are currently occupied predominantly by single family groups. The use may be more intensive than at

present, with more general disturbance and noise created as a result, although it is not considered to be any more harmful than if a large single family occupied the dwelling, and is not anticipated to result in unacceptable harm to the amenities of surrounding occupiers in accordance with Policy GP8 of the IPD.

The property includes seven car parking spaces, which is considered adequate given the town centre location. There is also provision in the existing shed for the storage of bicycles. In this respect, the proposal accords with Policies IP6, IP7, and the Parking Standards and Traffic Impact Assessment SPG.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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.

Recommendation:

Grant with Conditions



Date: 09/06/2023

