

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 barn (Residential Use Class 1) to self-catering unit (Visitor Economy Use Class 8). (Protected Building).

LOCATION: Pont Renier, Rue Des Marchez, St. Pierre Du Bois.

APPLICANT: Mr & Ms P Jarrald

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: 29/06/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/05/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Paul Langlois Architects: 2301/01 & /10.

Application Ref: FULL/2023/0814

Property Ref: F012770000

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 currently known as Pont Renier and, should the approved use cease, the barn shall revert to accommodation ancillary and incidental to the residential use of that dwelling under Residential Use Class 1 of the Land Planning and Development (Use Classes) Ordinance, 2017 or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance.

Reason - Taking into account the siting and relationship of the barn to the existing dwelling, the independent operation of the visitor use would likely raise amenity issues.

Expiry Date: This permission will cease to have effect on 28/06/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Planning permission is hereby granted for the use of the building as self-catering holiday accommodation (Visitor Economy Use Class 8). Whilst the accommodation can be used for winter lets outside of the tourist holiday season, between 1st November and 31st March each year, any use as a winter let must cease by the 31st March and the accommodation made ready and available for use as self-catering holiday accommodation between 1st April to 31st October each year.

Further information about the use of tourist accommodation for winter lets can be found on the Planning Service website: <https://gov.gg/needpermission>

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/2023/0814
Property Ref: F012770000
Valid date: 22/05/2023
Location: Pont Renier Rue Des Marchez St. Pierre Du Bois Guernsey
GY7 9AF
Proposal: Change of use of barn (Residential Use Class 1) to self-catering
unit (Visitor Economy Use Class 8). (Protected Building).

Applicant: Mr & Ms P Jarrauld

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 currently known as Pont Renier and, should the approved use cease, the barn shall revert to accommodation ancillary and incidental to the residential use of that dwelling under Residential Use Class 1 of the Land Planning and Development (Use Classes) Ordinance, 2017 or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance.

Reason - Taking into account the siting and relationship of the barn to the existing dwelling, the independent operation of the visitor use would likely raise amenity issues.

INFORMATIVES

Planning permission is hereby granted for the use of the building as self-catering holiday accommodation (Visitor Economy Use Class 8). Whilst the accommodation can be used for winter lets outside of the tourist holiday season, between 1st November and 31st March each year, any use as a winter let must cease by the 31st March and the accommodation made ready and available for use as self-catering holiday accommodation between 1st April to 31st October each year.

Further information about the use of tourist accommodation for winter lets can be found on the Planning Service website: <https://gov.gg/needpermission>

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested to change the use of a domestic barn (Residential Use Class 1) to a self-catering unit (Visitor Economy Use Class 8). No external or internal alterations to the building are proposed.

The application site comprises a traditional building group, including the main farmhouse and attached barn running along the Rue des Marchez and outbuildings located to the rear. The whole of the farmhouse building together with the outbuildings and the roadside walls is protected. The property is located within a Conservation Area and Agriculture Priority Area and is Outside of the Centres as designated in the Island Development Plan.

Relevant History:

15/08/2019 – FULL/2019/1128 – Permission granted to convert barn to habitable accommodation (revised) (protected building).

Existing Use(s):

Residential use class 1: dwelling house

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:

OC8(A) - Visitor Accommodation Outside of the Centres - New, Extension, Alteration or Redevelopment of Existing Uses

GP4 – Conservation Areas

GP5 – Protected Buildings

GP8 - Design

Conclusion/Brief comment:

The existing barn was recently converted to habitable accommodation ancillary to the dwelling, it still provides a useful function for the existing dwelling and the building is therefore not redundant. However, new visitor accommodation is supported where it is created through the change of use of existing buildings and not just the conversion of redundant buildings, therefore the principle of the development is supported under Policy OC8(A).

No external or internal alterations to the building or surrounding land are proposed and sufficient parking would be available for both the dwelling and the self-catering unit. The use would be small scale and low key, appropriate to the character of the location. The proposal would therefore have no adverse impact on the openness and landscape character of the area or the character of the Conservation Area and the special interest of the protected building.

There is no reason to believe that the change of use would affect the vehicular access to the agricultural land to the rear (west) or would result in a significant intensification of use of the existing access.

The use of the building to the rear as a self-catering unit is similar to a domestic use and the proposal would have no adverse effects on the amenities of neighbouring residents.

Given its siting and relationship with the main dwelling, it would not be appropriate for the visitor accommodation unit to be operated independently of the dwelling, the operation of the unit can be controlled by condition.

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: 29/06/2023