

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 barn/self catering unit (Use Class 8) to dwelling (Residential Use Class 1), erect gate and associated works, alter height of wall to east (roadside) and demolish wall to create parking to north of existing dwelling.

LOCATION: Longs Camps, La Route Des Longs Camps, St. Sampson.

APPLICANT: Mr R Fox

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: 04/01/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 01/09/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DLM Architects - 1230_2, 18, 19, 20A, 22, 26, 27, 28, 29A, 30, 31, 32 and 33.

Application Ref: FULL/2023/1464

Property Ref: B013820000

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. Within four weeks of the new access being brought into use, the ends of the new opening and lowered sections of wall, shall be finished off using materials and a method of construction which match the remainder of the roadside boundary wall.

Reason - To secure the satisfactory appearance of the completed development.

Expiry Date: This permission will cease to have effect on 03/01/2027 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/2023/1464
Property Ref: B013820000
Valid date: 01/09/2023
Location: Longs Camps La Route Des Longs Camps St. Sampson
Guernsey GY2 4UQ
Proposal: Convert barn/self catering unit (Use Class 8) to dwelling
(Residential Use Class 1), erect gate and associated works,
alter height of wall to east (roadside) and demolish wall to
create parking to north of existing dwelling.
Applicant: Mr R Fox

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.

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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.

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Reason - To secure the satisfactory appearance of the completed development.

OFFICER'S REPORT

Brief Description of the site:

The site is located at the junction of La Route des Longs Camps, Les Portes and Route de la Ramee and is composed of the main farmhouse, converted barn building and large detached outbuilding.

Permission to convert the barn was granted in 1975/76 and allowed conversion to a self-catering unit, it is understood that the lawful use of the barn remains in Visitor Economy Class 8.

The application is for the conversion of the barn to a dwelling (residential use class 1) and subdivision of the site. Other works include the erection of a gate and associated works including altering the height of the wall to the east (roadside) and demolishing part of the wall to create parking within the front garden of the farmhouse.

Relevant History:

Pre-application advice was previously sought regarding the subdivision of the dwellings.

Existing Use(s):

- 08 Non-serviced visitor accommodation
- 01 Residential Dwelling

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:

OC1- Housing Outside the Centre
OC8(C) – Visitor Accommodation Outside the Centres- change of use
GP8- Design

GP9- Sustainable Development
IP7- Private and Communal Car Parking

Conclusion/Brief comment:

The proposal involves the change of use of the existing 2x bedroom barn (use class 8) to a residential dwelling (use class 1) and no external or internal alterations are proposed to the building. The barn and existing detached outbuilding will be subdivided to form one unit (shown as property B on the proposed plans) and the main farmhouse and existing external store which is attached to the barn, will form one dwelling (property A) with a new boundary hedge dividing the site from north to south.

The change of use of the existing visitor accommodation to a non-visitor accommodation use Outside of the Centres is supported by IDP Policy OC8(C) where the establishment comprises a single dwellinghouse with less than 3 self-catering units attached to it or located within its domestic curtilage, and where this reverts to a single dwellinghouse and the proposal is in accordance with all other relevant policies of the Island Development Plan. The intention of this policy is to prevent operators of small visitor accommodation businesses from having to leave their home when the business ceases to operate.

The unit in question comprises a single self-catering unit situated within the curtilage of an adjacent residential unit, Longs Camps (property A).

In this instance, as property B, the subject of this application is within the curtilage of an existing residential dwelling, the proposal would therefore comply with the spirit of Policy OC8(C) which clearly supports the loss of such small visitor accommodation by allowing it to revert to form part of the main dwelling. Although the proposal by not reverting to a single residential dwelling will in part deviate from Policy OC8(C).

If the self-catering unit were to revert back to form part of the main dwelling there is a clear gateway through Policy OC1 to allow the creation of an additional residential unit to achieve the same outcome at this site. This would involve reverting the outbuilding to ancillary accommodation with a subsequent planning application to form an independent dwelling adjacent to Longs Camps farmhouse. The applicant has therefore requested a minor departure from policy OC8(C) to allow the creation of a new separate dwelling, without requiring the property to revert to a single residential dwelling and to request a subsequent application to subdivide the dwelling to achieve the same outcome for which permission is currently sought.

The proposal is not considered to undermine the requirement to ensure that the Island retains a sufficient level of accommodation to support the visitor economy. It complies with the general aims of Policy OC8(C) and would not set an unwanted precedent. It is considered therefore that the requested minor departure to Policy OC8(C) is warranted and can be accepted in this case.

The principle of the development is therefore supported provided that the proposal complies with all other relevant policies of the IDP.

The level of accommodation provided within the new residential dwelling is acceptable and will offer a good standard of living accommodation. The existing building will offer future occupiers adequate sunlight and daylight, has a ground floor bedroom and could be adapted in future through internal alteration or extension/conversion of the existing boatshed area.

No external alterations are proposed and the division of the garden ensures that both dwellings have a good level of outdoor amenity space. The development does not cause any undue harm on the amenities of occupiers of the nearby residential properties.

Some concern was originally raised regarding the lack of private amenity space for Unit B due to the orientation and relationship between property A and B, and potential for harmful overlooking of the garden area immediately adjacent to the rear of property B which is considered to be the most sensitive. The proposal involves the subdivision of the garden between the two properties, and additional plans have demonstrated that the windows which may potentially overlook at the closest point mainly serve bathrooms, staircases and landings, with a separation distance of over 10m from any habitable rooms to the boundary. At second floor level the existing windows serve bedrooms and a staircase/landing, most have a cill height of approx. 1.5m and drawings indicate that the level of overlooking will be limited as a result. As these windows are set back in the roof the distance to the boundary increases to approx. 12m which will ensure an acceptable level of privacy.

A new open design timber gate is proposed to the shared boundary to the north of the barn and is approx. 1m in height. This is considered suitable in design and will not harm the character of the area. It will provide a private off road parking area for property B, for a number of cars.

Private off road car parking spaces have been allocated to the front of property A which requires the removal of a 4.5m section of the enclosing front wall, and a reduction in the height of a section of the remaining front wall (from 1.4m to approx. 0.8m) in order to provide improvements in visibility. Although the use of the front garden for car parking will change the character of the dwelling, as it is not Protected, not situated within a Conservation Area, and the majority of the boundary wall is to be retained, the impact is considered to be acceptable.

Both properties have sufficient covered outside storage for cycles, offering occupiers the opportunity to travel by alternative modes of transport.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Recommendation:
Grant with Conditions



Date: 04/01/2024

