

**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 subdivide 2 self catering units to create 2 residential flats and associated works (Protected Building); Rescind Condition 1 of application reference FULL/2014/2522 to allow for independent use of dwellinghouse.

**LOCATION:** Les Picques Farmhouse, Route Des Picques, St. Saviour.

**APPLICANT:** Mr P & Mrs S Blackwell

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:** 25/03/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 24/11/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Hunt Brewin: Block Plan; 16703/1/1.

**Application Ref:** FULL/2023/2116

**Property Ref:** E00167H000

**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 change of use hereby approved shall not be implemented until details of the means of enclosure to the external amenity space have been submitted to and agreed in writing by the Authority, and the approved enclosure has been fully completed.

Reason - To secure the privacy of the external amenity space.

5.The change of use hereby approved shall not be implemented until the cycle storage shown on the approved plans has been fully installed. The provision for cycles shall thereafter be retained at all times.

Reason - To encourage the use of bicycles as an alternative to the car.

**Expiry Date: This permission will cease to have effect on 25/03/2027 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](http://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](mailto: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/2023/2116  
**Property Ref:** E00167H000  
**Valid date:** 24/11/2023  
**Location:** Les Picques Farmhouse Route Des Picques St. Saviour  
Guernsey GY7 9FW  
**Proposal:** Convert and subdivide 2 self catering units to create 2  
residential flats and associated works (Protected Building);  
Rescind Condition 1 of application reference FULL/2014/2522  
to allow for independent use of dwellinghouse.  
**Applicant:** Mr P & Mrs S Blackwell

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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## **OFFICER'S REPORT**

### **Brief Description of the site:**

The property known as 'Les Picques' is a late 15<sup>th</sup>/early 16<sup>th</sup> century granite-built farmhouse. The property faces south onto a front garden, with parking to the rear (north). The curtilage of the property is limited to the east part of the site, with the land to the west comprising agricultural land.

The Route des Picques runs along the east boundary. There are two properties to the north and a group of holiday cottages to the south and open land to the west and across the road to the east.

The property is located Outside of the Centres as defined in the Island Development Plan. The building and the cottages to the south are all Protected Buildings.

### **Relevant History:**

There is a significant amount of history on this site. The most relevant application is FULL/2014/2522 which approved the change of use of the farmhouse to a mixed use comprising of residential dwelling and serviced guest accommodation. The report states that the proposal was for the main dwelling to remain in residential use, whilst the two units which form the subject of this application were to be serviced guest accommodation. That decision was conditioned as follows:

*1.The occupation of Les Piques Farmhouse shall be limited to a person who manages the associated serviced guest accommodation, known as the Upper Deck Suite and the Lower Deck Apartment, and to a spouse or partner of that person and their family.*

*Reason - This permission has been granted only on the basis that Les Picques Farmhouse will continue to be occupied by a person managing the visitor accommodation at Les Piques Farmhouse. Any other residential use would raise different planning policy considerations.*

**Existing Use(s):**

Mixed use comprising a dwellinghouse and associated serviced guest accommodation, the former to be occupied by a person who manages the latter.

**Assessment:** *(Tick as appropriate)*

no representation  
accords with policy  
within curtilage  
design acceptable

|                                     |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |

visual amenity acceptable  
no material neighbour impact  
traffic not affected

|                                     |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |

**Policies considered most relevant:**

|         |                                                 |
|---------|-------------------------------------------------|
| OC1     | Housing Outside the Centres                     |
| OC8A    | Visitor Accommodation Outside of the Centres    |
| GP5     | Protected Buildings                             |
| GP8     | Design                                          |
| GP9     | Sustainable Development                         |
| GP16(A) | Conversion of Redundant Buildings               |
| IP6     | Transport Infrastructure and Support Facilities |
| IP7     | Private and Communal Car Parking                |

**Consultation responses:**

*Marketing and Tourism* comment as follows:

Having consulted the IDP2016 - Policy OC8(C): Visitor Accommodation on Outside of the Centres - Change of Use is relevant in this case.

"The change of use or redevelopment of existing visitor accommodation to a non-visitor accommodation use Outside of the Centres will be supported where the establishment comprises a single dwelling house with less than 3 self-catering units attached to it or located within its domestic curtilage."

This application refers to a building, currently split into 2 units of self-catering accommodation, which is attached to the main dwelling house. Therefore, our view is that we cannot reasonably object to the application for a change of use to non-visitor accommodation.

### **Conclusion/Brief comment:**

#### Principle of development

The application has been submitted, and considered by Marketing and Tourism, as the change of use of a small-scale self-catering establishment, comprising two self-catering flats attached to the farmhouse. The site however previously formed part of the larger self-catering site to the south, comprising nine self-catering cottages, and the sale of the site into separate ownership does not override the need to consider any change of use as part of the wider self-catering site.

The proposal would retain the majority of the self-catering units in visitor accommodation use, and, taking into account the proportion of the overall site to which the application relates, the proposal would not result in the loss of a visitor accommodation establishment and would not comprise a change of use for the purposes of Policy OC8(C). In this context, the proposal could reasonably be considered as an alteration to the existing visitor accommodation establishment, which does not amount to a change of the overall use, and the proposal would fall to be considered under OC8(A).

Policy OC8(A) states that alterations to visitor accommodation establishments will be supported where:

- a) The development is of a scale that is appropriate to the character of the location, is undertaken sensitively and so as not to detract from the openness and landscape character of the locality and does not undermine the vitality of a Centre; and,
- b) Any additional facilities are ancillary or ordinarily incidental to the principal use as visitor accommodation in terms of scale and use, are proportionate to the amount of visitor accommodation at the site and would not have an adverse effect on the visual quality and landscape character of the location.

The proposal comprises a rationalisation of the accommodation on site and would not impact on the vitality of the Centres or require the provision of additional facilities.

The existing building is of a traditional design which contributes to the traditional character of the group of buildings on the site. There are no proposed alterations to the building and the proposal would not therefore alter the contribution to the character of the area.



The proposal would therefore meet the requirements of Policy OC8(A).

The change of use of the accommodation to residential would fall to be considered under Policies OC1 and GP16(A).

No information has been provided to demonstrate that the units are not capable of ongoing use as visitor accommodation, however Marketing and Tourism do not identify an ongoing requirement for these units and the change of use would not result in the loss of an entire visitor establishment, nor prejudice the ongoing use of that establishment.

Whilst no structural survey has been submitted as part of the application, the building is clearly of sound and substantial construction and does not require alteration to support the change of use, and a survey is not found to be necessary in this instance. As no alterations are proposed, the application would not impact on the special interest of the protected building and, as set out above, would not impact on the character of the area or openness of the landscape.

The proposed change of use is unlikely to have a more intensive impact on the neighbouring amenity than the existing visitor accommodation use in terms of noise, disturbance or overlooking.

The proposal would therefore comply with Policies OC1 and GP16(A).

#### Other matters

In addition to the above, the proposal would need to comply with Policies GP5, GP8, GP9, IP6 and IP7.

As stated above, there would be no impacts on the special interest of protected buildings.

The internal accommodation for both of the proposed flats substantially exceeds the minimum Guernsey Technical space standards. The first-floor flat slightly exceeds the UK's DCLG internal space standards which are used as best practice, although the bedroom is only large enough for single occupancy. The ground floor flat is slightly below the DCLG best practice standard but has a suitably sized double and single bedroom. The ground floor flat has accessible accommodation with level thresholds which is flexible and adaptable. The stepped access to the first floor flat is an impediment to full accessibility but the flat is appropriate for ambulant occupants. The flats are dual aspect and would have adequate daylight, sunlight and good outlook. Following deferral, the private outdoor space is to be for the ground floor flat only and is of a good size but is overlooked to some degree by the first floor flat, this is unavoidable due to the physical relationship and is not unusual throughout the Island. The amenity area would however also be open to the amenity space associated with the existing dwelling at the site and it is reasonable to attach a condition to the decision requiring details of enclosure prior to implementation of

the change of use. Whilst the erection of fencing may be acceptable along the west side of the amenity space, it is recommended that the southern edge is enclosed by hedge planting, to mitigate potential impacts in views from the road. The first floor flat does not have an outdoor amenity area which is regrettable, however, given the reasonably close proximity of public open spaces including the Reservoir and the Styx Centre/Brehauts playing field, this is, on balance, not considered sufficient to warrant refusal of the application. Overall, despite some deficiencies, the proposed dwellings would provide a satisfactory quality of residential environment for future occupiers, in accordance with Policy GP8.

The on-site parking provision is adequate for the size of the flats, and separate provision would be maintained for the main dwelling. Whilst the space indicated appears slightly short for a full sized parking space, it would be sufficient to provide parking without impeding use of the adjacent access. Secure bicycle storage is to be provided within external storage units, and implementation of this provision can be managed by condition. The car and bicycle parking provision is adequate for this Outside of Centres location and it accords with Policies IP6, IP7 and the Parking Standards and Traffic Impact Assessment Supplementary Planning Guidance.

As there are no physical alterations proposed, it is not considered reasonable or necessary to require either further landscaping or a sustainability statement.

### Conclusion

The proposal would meet the purpose of the Law, material considerations and relevant planning policies and approval is recommended.

As the change of use of the self-catering units is found to be acceptable, the need for Condition 1 of the permission granted under application reference FULL/2014/2522 falls away and the use of the main dwelling would revert to an independent dwellinghouse, falling within Residential Use Class 1.

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:** 20/03/2024

