

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 log cabin to a dwelling (residential use class 1).

LOCATION: St Saviour Community Centre, Le Neuf Chemin, St. Saviour.

APPLICANT: St Saviour Community Centre LBG

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: 07/03/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 02/01/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Courtillet Design - 23.799 02

Application Ref: FULL/2023/2486

Property Ref: E004170000

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.No occupation or use of the dwelling hereby permitted shall begin until the fencing and gate shown on the approved plans have been fully completed in accordance with the details approved as part of this permission and shall thereafter be retained at all times.

Reason - In the interests of residential amenity.

Expiry Date: This permission will cease to have effect on 07/03/2027 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 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/2023/2486
Property Ref: E004170000
Valid date: 02/01/2024
Location: St Saviour Community Centre Le Neuf Chemin St. Saviour
Guernsey GY7 9FG
Proposal: Convert log cabin to a dwelling (residential use class 1).

Applicant: St Saviour Community Centre LBG

RECOMMENDATION - Grant: Planning Permission with Conditions:

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Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

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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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accordance with the details approved as part of this permission and shall thereafter be retained at all times.

Reason - In the interests of residential amenity.

OFFICER'S REPORT

Site Description:

St Saviour's Community Centre is situated to the east of Le Neuf Chemin Road. Vehicular access is adjacent to the south site boundary with a driveway and some parking to the rear of the main building with further parking provided to the north of the detached application building, in the northeast part of the site.

The application relates to the change of use of the detached cabin to a single dwelling containing an open plan living, kitchen and dining room, study, shower room and bedroom with dressing area. A patio area is proposed to surround the property on three sides with a 1.8m high fence proposed to enclose the patio area to the south of the property. An allocated parking space is shown to be provided to the north of the building.

Relevant History:

Pre-application advice was sought in this case.

Existing Use(s):

18/19 – Community Centre/Nursery

Brief Description of Development:

The application relates to the change of use of the detached cabin to a single dwelling containing an open plan living, kitchen and dining room, study, shower room and bedroom (less than 12 sqm) with dressing area. A patio area is proposed to surround the property on three sides with a 1.8m high fence proposed to enclose the patio area to the south of the property. An allocated parking space is shown to be provided to the north of the building.

The submission sets out that the dwelling would be occupied by an on-site care taker, entirely associated with the Community Centre. A covering letter highlights the isolated location of the site and separation from neighbouring residential properties with reference to acts of vandalism at the site and installation of CCTV.

The cabin is approximately 20 years old and its use, by the Guernsey Carers, ceased following the pandemic. It has been empty for the last three years. All activities/groups can be accommodated within the main Centre building.

Works to the building are identified as being internal, insulating the existing timber walls, concrete floor and timber framed roof. The application was however, deferred to seek further clarification regarding the condition of the building given its age and its suitability for conversion without extensive alteration or rebuilding. Photographs and written details of the building and works have been provided.

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

OC2: Social and Community Facilities Outside of the Centres

GP16(A): Conversion of Redundant Buildings

OC1: Housing Outside of the Centres

GP8: Design

GP9: Sustainable Development

IP7: Private and Communal Car Parking

IP6: Transport infrastructure and support facilities

IP9: Highway Safety, Accessibility and Capacity

Strategy for Nature SPG

Parking Standards and Traffic Impact Assessment SPG

Representations:

None.

Consultations:

None.

Summary of Issues:

The key issues in this case relate to the principle of the proposed change of use the health and well-being of future occupiers and the amenities of the surrounding residential neighbours.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Policy OC2 makes provision for the change of use away from a social and community use to another use where it is demonstrated that the existing facility is no longer required. In this case the submission outlines that the building has been vacant for the last three years and that all community activities can be readily accommodated within the existing, main Community Centre building therefore Policy OC2 is satisfied as is Policy GP16(A) a. Policy OC1 which relates to housing Outside of the Centres is therefore also satisfied in this respect.

The scheme also complies with criterion b., and f. of GP16(A) whilst criterion d., e. and g. are not relevant in this case.

Following the deferral of the application the submission demonstrates that the building is of sound and substantial construction, capable of conversion without extensive alteration or rebuilding as no structural alterations are proposed nor internal walls to be repositioned. The existing walls are to be lined and the suspended ceiling is to be replaced with a new insulated one. A Structural Engineer will be employed to instruct on fixings for internal wall linings, the new ceiling, insulation and plasterboard finish in order to ensure compliance with Part A of the Building Regulations. The scheme therefore complies with Policy GP16(A) c. of the IDP.

The matter of residential amenity (GP16(A) h. is considered elsewhere in this report.

The proposal relates to the change of use of an existing building without external alteration and will therefore respect the local built environment and represents a good standard of design making efficient use of an underutilised building. The hard and soft landscaping proposed would not result in harm to the character and appearance of the locality and would not appear out of place on this site, where the building and proposed garden enclosure would not be highly publicly visible apart from within the site itself. Being single-storey only the proposal offers accessible accommodation that will be flexible and adaptable to meet the changing needs of occupiers. Although the front door is accessed by steps the patio doors to the east elevation are shown to have a level threshold.

In terms of residential amenity, the building is set away from neighbouring residential properties and will not result in overlooking or loss of privacy. In terms of the health and well-being of future occupiers consideration should be given to the amenities as set out in Annex I of the IDP. The accommodation would have good daylight and sunlight given that the building has fenestration to all elevations. Aspect and outlook would be somewhat restricted given the property overlooks the car parking areas and access driveway serving the Community Centre with the associated comings and goings throughout the day and into the evenings although the modest patio to the rear/east of the building would be more private given the proposed fencing along the southern site boundary and its position in relation to established planted borders and the parking areas on site. To the east, aspect and

outlook would be more pleasant, towards open and undeveloped agricultural land. Provision is made for access to open space around the building, sufficient to meet the needs of future occupiers. Internal space provision exceeds the Building Control requirements for a one bedroom/one person property (the bedroom does not meet the standards for two-person occupation). The accommodation would also exceed the DCLG internal space standards for a one bedroom, one person property.

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

The provision of a single parking space within the parking area for the Community Centre is satisfactory and will not have a detrimental impact on parking for the community facility nor result in highway safety concerns in relation to the use of the vehicular access to the site or traffic on the local highway network.

In view of the above it is recommended permission is granted for the proposed change of use.

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 05/03/2024