

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: Renovation and conversion of former building to create a dwellinghouse, change of use of agricultural land for domestic use (670sqm) and associated works.

LOCATION: L'Echelle Gate House (Les Galliennes Farm), Rue Des Roquettes, St. Andrew.

APPLICANT: Mr & Mrs T Veron

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: 22/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/05/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd: 7531-01/B1C, /B2B & /B3A; Environment Guernsey Biodiversity Statement

Application Ref: FULL/2024/0652

Property Ref: K00284B001

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 landscaping scheme shall be fully completed in accordance with the details set out on the approved plan (Drawing No 7531-01-B1C) and in the Environment Guernsey Biodiversity Statement hereby approved, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. The landscape shall thereafter be managed in accordance with the approved documents specified above and any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory, to help assimilate the development into its surroundings and to meet the requirements of the Strategy for Nature.

5. Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2023 (or any other Ordinance replacing or re-enacting that Ordinance), no gate, fence, wall or other means of enclosure and no hard surfacing (other than any hereby expressly permitted) shall be erected, constructed, placed or laid on any part of the site.

Reason - In view of the sensitive nature of the site, the erection of such structures or laying of surfacing as 'exempt development' may have an adverse visual impact. This condition is imposed to make sure that any proposals can be properly considered.

6. The floorspace provided within the lean-to extension shall be used only for ancillary domestic storage. At no time shall this floorspace be used for habitable accommodation without the written consent of the Authority.

Reason - To ensure that the proposal complies with Policy GP16(A) (Conversion of Redundant Buildings).

Expiry Date: This permission will cease to have effect on 22/10/2027 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/2024/0652
Property Ref: K00284B001
Valid date: 07/05/2024
Location: L'Echelle Gate House (Les Galliennes Farm) Rue Des Roquettes
St. Andrew Guernsey GY6 8SQ
Proposal: Renovation and conversion of former building to create a
dwellinghouse, change of use of agricultural land for domestic
use (670sqm) and associated works.
Applicant: Mr & Mrs T Veron

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 landscaping scheme shall be fully completed in accordance with the details set out on the approved plan (Drawing No 7531-01-B1C) and in the Environment Guernsey Biodiversity Statement hereby approved, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. The landscape shall thereafter be managed in accordance with the approved documents specified above and any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory, to help assimilate the development into its surroundings and to meet the requirements of the Strategy for Nature.

5. Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2023 (or any other Ordinance replacing or re-enacting that Ordinance), no gate, fence, wall or other means of enclosure and no hard surfacing (other than any hereby expressly permitted) shall be erected, constructed, placed or laid on any part of the site.

Reason - In view of the sensitive nature of the site, the erection of such structures or laying of surfacing as 'exempt development' may have an adverse visual impact. This condition is imposed to make sure that any proposals can be properly considered.

6. The floorspace provided within the lean-to extension shall be used only for ancillary domestic storage. At no time shall this floorspace be used for habitable accommodation without the written consent of the Authority.

Reason - To ensure that the proposal complies with Policy GP16(A) (Conversion of Redundant Buildings).

OFFICER'S REPORT

Site Description:

The application site, as outlined in red on the submitted plans, comprises the remains of a building set on 0.39 acres (1562sqm) of land.

The site is set at the bottom of a valley, sloping from south-west down to the north-east with an open stream running along the north-east boundary. The site is bounded by Rue des Roquettes to the north-west, separating the site from residential properties along the north-west side of that road. A small parcel of land located between the road and the structure at the application site is owned in association with the property across the road to the north (Moulin De L'Echelle).

There is no evidence that a change of use of this land has ever been granted, and it would therefore remain classified as agricultural land. The site is separated from fields to the north-east, south-east and south-west by robust treed boundaries.

The site historically formed part of the property to the south, known as Les Galliennes Farm. The building group at that property is located to the south-east of the application site, adjacent to Route des Talbots, and comprises a house and enclosed barn dating from before 1787 and a 19th century open sided barn, currently undergoing conversion for residential purposes. The domestic curtilage recognised for the house and approved for the barn conversion is restricted to the building group, with limited extension approved to the south-east and south-west of the house.

The whole of the house and enclosed barn at Les Galliennes Farm, together with the roadside wall adjacent to those structures, is protected. The open sided barn, and the structure which forms the subject of this application, do not however form part of the listing. The buildings were first protected in 2018 and, as part of the assessment of the site for listing, it was observed that the structure which forms the subject of this application was likely to date at least partially from before 1787, however has been subject to alterations and was in such poor condition as to be termed a ruin. Notwithstanding any contribution to the historical understanding or setting of the wider protected building group, the structure was therefore determined not to meet the criteria for listing.

The site is located Outside of the Centres, within an Agriculture Priority Area, in the Island Development Plan.

Relevant Planning History:

K.284 (Les Galliennes House and enclosed barn)

15/10/20 FULL/2020/1273 Permission for change of use of agricultural land to domestic garden and create new vehicular access and parking area

14/12/22 FULL/2022/0786 Permission to demolish extensions, extend and alter at ground and first floor levels, demolish and rebuild chimney and internal and fenestration alterations. Erect detached garage to east boundary and landscaping and lay cobbled driveway (Protected Building).

03/04/2024 FULL/2023/0441 Permission to convert barn/store to residential dwelling and change of use of agricultural land to domestic garden (Protected Building).

15/12/2023 FULL/2023/1523 Refusal for change of use of agricultural land to domestic garden (2,087sqm) and install BBQ area.

03/06/2024 FULL/2024/0089 Permission for change of use of agricultural land to domestic garden (420sqm) (revised scheme).

K.284/B (Formerly Les Galliennes – open sided barn, now The Hayloft)

23/12/21 FULL/2021/0031 Permission for conversion of barn into a dwelling, demolish outbuilding, alterations to wing, change of use of land to domestic, create new vehicular access and close existing access. (Revised scheme).

K.284/B1 (The application site)

Pre-application advice regarding repair works to former coach house building.

29/06/2023 FULL/2023/0499 Renovation of former building including creation of first floor, addition of roof, reconstruction of lean-to and installation of fenestration. Refused for the following reasons:

- 1. The existing building is not of sound and substantial construction in respect of its former purpose, and is not capable of conversion without extensive alteration. The application does not therefore meet the terms of Policy GP16(A)c) (Conversion of Redundant Buildings) in the Island Development Plan.*
- 2. There is insufficient information for the proposal to meet the terms of Policy GP16(A)b), relating to the use of the building, f), relating to the impacts of any ancillary development on the character and openness of the landscape; and h), relating to the impacts on the amenities and enjoyment of neighbouring properties and the surrounding area.*

Existing Use(s):

Land: Agricultural Use Class 28

Remaining structure: Nil use – the structure has been abandoned (see FULL/2023/0499 for elaboration).

Brief Description of Development:

Permission is sought to renovate the former building at this site to create a one bed dwellinghouse, including a change of use of the north-eastern part of the site for domestic use. The covering letter refers only to existing hard surfacing and the plans do not refer to any new, replacement or extension hard surfacing.

The works proposed to facilitate the change of use are as follows:

- Install perimeter French drain and/or drainage channel;
- Repoint and make good walls to main part of building, including reconstruction of wall head;
- Install new roof and structure over main part of building;
- Install window and doors within existing openings (re-forming upper parts of apertures at first floor level);

- Repoint, make good and partially reconstruct side walls of lean-to, construct new section of wall to south elevation, install infill timber, windows and doors, and install new roof and structure;
- Install concrete floor slab;
- Install internal stair, partitions and first floor structure;
- Install internal thermal lining at ground floor.

A Structural Condition Report is provided in support of the application, noting that the repaired granite work is in very good condition, the walls are generally straight and true and that the foundations have sufficient capacity to support the additional loadings associated with reinstating a first floor and roof.

A limited Biodiversity Statement was provided as part of the initial submission and, following deferral, was superseded by a statement prepared by Environment Guernsey Ltd.

The covering letter from the agent makes the following points:

- Les Galliennes farmhouse and outbuildings include several listed structures and the overall setting of the farm within the valley is of historical interest. There have been recent approvals to renovate the main house and convert the hayloft, thereby saving and preserving these buildings and the historical value of the site;
- The current application would preserve the existing building in order to retain the overall historical interest and setting of the site.
- The building will be renovated to a design similar in appearance to the original building.

A supporting letter has been provided from a planning consultant, making the following points:

- The carrying out of repair and consolidation works have been supported by the Authority elsewhere, including Moulin Huet Cottage;
- Policy GP16 does not preclude conversion of buildings where the original or former use has been abandoned, as in this case;
- The building is self-evidently of sound and substantial construction;
- Commenting on the proposed alterations the following points are made:
 - o Replacement of roof structure, representing a small proportion of the fabric of the structure and typically expected as part of conversions; Roof tiles salvaged from the site will be reused;
- Similar levels of alteration have been permitted under FULL/2019/2471, FULL/2023/0441, FULL/2023/1226 and FULL/2023/1311;
- As part of the permission to convert the Hayloft under FULL/2021/0031 the Authority discounted works to a section of the building which was not to form part of the habitable accommodation, and this could be applied to the lean-to in this case;

- The proposed curtilage is consistent with other adjacent and recent permissions, including FULL/2021/0031, FULL/2023/0050 and FULL/2023/1094);
- Following the clearance of vegetation and maintenance works, the building is visible in views when walking and driving the area and contributes to the character of the area, and the area and setting of nearby protected buildings will be further enhanced by the restoration of this building. The public benefits should be taken in account in accordance with IDP policy 19.17.7 and afforded considerable weight as a material planning consideration;
- A minor departure is requested should the Authority feel constrained in any manner

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

OC5(A)	Agriculture Outside of the Centres – within the Agriculture Priority Areas
GP1	Landscape Character and Open Land
GP8	Design
GP9	Sustainable Development
GP15	Creation and Extension of Curtilage
GP16(A)	Conversion of redundant buildings
IP6	Transport Infrastructure and Support Facilities
IP7	Private and Communal Car Parking
IP9	Highway Safety, Accessibility and Capacity

Supplementary Planning Guidance:
Parking Standards and Traffic Impact Assessment
Strategy for Nature

Representations:

One letter of representation received noting that any increased curtilage will result in urbanisation of this area.

Consultations:

The Office for Environmental Health and Pollution Regulation raise no objection.

Agriculture Countryside and Land Management Services commented on the proposals as initially submitted as follows:

As described in the applications letter (section 2.3, Collas Crill, 4 April 2024) and as evident from aerial photography, clearance works have already been undertaken at this site. In line with best practice, we recommend that a pre-clearance baseline be considered when assessing if an enhancement in biodiversity has been achieved.

The Biodiversity Statement submitted (PF+A, February 2024) makes no reference to either the existing biodiversity value of the site or the value of the site pre-clearance.

Following evaluation of aerial photography and the island wide habitat surveys, we believe that the site contained semi-improved grassland (a habitat of high conservation value), dense scrub and continuous bracken (habitats which have the potential to offer moderate to high ecological value). Therefore, the clearance works undertaken have likely resulted in a detrimental environmental impact.

We note the landscaping scheme described in the Biodiversity Statement and welcome the commitment to retain existing trees and hedging, and the proposals to create a grassed Earthbank, and install bat boxes. However, given the value of the site pre-clearance, we do not believe that these proposed environmental enhancements will result in a net enhancement in biodiversity overall. We note that the landscaping scheme also includes a proposal to manage an area of grassland as a 'wildflower meadow'. The approach described is welcomed, however it is proposed for an area of land which is outside of the area to which the application for change of use relates.

We recommend that an ecological assessment is undertaken which takes account of current condition and pre-clearance habitats (which should be assumed as 'good condition' unless strong evidence can be provided to the contrary). We also recommend that proposals should be sufficient to first mitigate the impacts from clearance and then provide an enhancement in biodiversity. In line with previous conversations between ACLMS and the Authority, we also recommend that enhancement measures should be delivered within the area to which the change of use application relates.

Summary of Issues:

- Whether Policy GP16(A) would form a gateway policy for the development;
- Whether the structure is of sound and substantial construction (GP16(A)c));
- Whether the extent of alteration proposed is extensive (GP16(A)c));
- Whether the creation of curtilage would comply with Policies GP1 & GP15;
- Whether any ancillary development associated with the conversion can be implemented without having any unacceptable adverse impacts on the character and openness of the landscape (GP16(A)f)).

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

The use of the site

The land at this site would fall within Agricultural Use Class 28 of the Land Planning and Development (Use Classes) Ordinance, 2017.

The previous application relating to this site (ref FULL/2023/0499) concluded that the use of the former building had been abandoned, and the letter submitted as part of the current application accepts that position.

Principle of residential development

The Spatial Strategy as identified within the Strategic Land Use Plan, approved 30th November 2011 (SLUP), is for development to be concentrated within and around the edges of the urban centres of St Peter Port and St Sampson/Vale, with some limited development within and around the edges of the other main parish or local centres to enable community growth and reinforcement of sustainable centres.

The Spatial Policy of the Island Development Plan, expressed through Policy S1 (Spatial Policy), reflects this approach, seeking to, *“concentrate the majority of new development in the Main Centres and the Main Centre Outer Areas to maintain the vitality of these areas...and to allow for development Outside of the Centres in identified specific circumstances, in accordance with the Strategic Land Use Plan.”*

This approach is reinforced through Policy S4 (Outside of the Centres) and the introduction to Part 3 of the Plan *Policies for Outside of the Centres* which, whilst acknowledging that the Plan makes provision for certain types of development in these locations, states that proposals for new housing will not generally be supported in these areas.

Policy OC1 (Housing Outside of the Centres) sets out potential exceptions to this direction, stating that the creation of new dwellings will only be supported where it is achieved through the subdivision of an existing dwelling or the conversion of an existing redundant building, and directs proposals for conversion of redundant buildings to be considered principally under Policy GP16(A) (Conversion of Redundant Buildings).

Conversion of an existing building

Policy GP16(A), whilst entitled “Conversion of Redundant Buildings”, also refers to the conversion of redundant structures. Whilst the remaining built form at the site is unlikely to meet the standard definition of a building, it would amount to a structure for the purposes of this policy. Policy GP16(A) could therefore form a gateway for the proposed development, and the proposal is addressed against the criteria of Policy GP16(A) below.

a. It is demonstrated that the building is no longer required or capable of being used for its current or last known purpose;

The use of the former building has been abandoned and, taking into account the condition of the remaining structure, it is no longer capable of being used.

b. The conversion will result in the establishment of either residential, social and community, industrial, storage and distribution, convenience retail in coastal locations in accordance with Policy OC4, visitor accommodation or office use or provide facilities for outdoor formal creation or informal leisure and recreation uses;

The proposal would result in a residential use.

c. The existing building is of sound and substantial construction and is capable of conversion without extensive alteration or rebuilding;

Following the approach taken by the Planning Tribunal in relation to an appeal under GP16(A) (Ref: PAP/008/2019), this criterion must be assessed in two parts. Firstly, whether the building is of sound and substantial construction, and secondly, an assessment as to whether the building is capable of conversion without extensive alteration or rebuilding.

The building group at Les Galliennes was surveyed for listing 24/01/18, at which time the structure which forms the subject of this application was overgrown and portions of the building had collapsed. The application site was visited again 14/06/2019 as part of pre-application discussions regarding the whole site, at which time the vegetation had been removed and remedial works had been undertaken to the south-west elevation. The site was visited again 14/06/2023, as part of the assessment of the previous refused application. No further works had been undertaken at that time. From a further site visit as part of this application, and the photographs provided, it is however clear that further works have been undertaken to the structure, including:

- Partial reconstruction and making good of wall heads to gables;
- Partial reconstruction and making good of walls to lean-to and wall heads;
- Replacement of timber lintel to north-west gable with granite;
- Wholesale re-pointing.

There is no provision within the Land Planning and Development (Exemptions) Ordinance, 2023 to allow for these works. It is however accepted that works that would merely stabilise existing fabric, e.g. re-pointing in lime, would not amount to development. The extent of reconstruction which has occurred in this case, particularly in relation to the walls of the former lean-to, is however likely to have amounted to development which required planning permission.

The remaining structure obviously lacks roofs, wall heads, first floor and fenestration. The remaining walls are however of substantial stone construction, particularly following the remedial works which have been carried out, and a Structural Condition Report has been provided confirming those walls are in good condition.

In the assessment of the conversion of the Hayloft under application ref FULL/2021/0031, the Authority determined that works to an attached side extension, which would not be used for habitable accommodation but for storage associated with the upkeep of the land, would not be considered as part of the alterations required for the conversion of the main building. In light of this decision, providing that the lean-to element of the current proposal is retained for storage and not used for habitable purposes (an issue which can be controlled by planning condition), the works which have been undertaken and are proposed to that element, whilst essentially comprising reconstruction, would not be considered as part of the alterations to be assessed under Policy GP16(A)c).

Taking into account the above, the extent and condition of the remaining structure at the site, and notwithstanding the elements of partial reconstruction which have occurred to the gable ends of the main part of the structure, it is considered that the remaining structure at the site can be considered sound and substantial.

The works proposed to facilitate the use of the structure as a dwelling are set out in the Brief Description of Development above. Taken cumulatively, including those works which have been previously undertaken that might amount to development, these works would be comparable to alterations accepted elsewhere and would not be considered extensive for the purposes of this policy.

d. The proposal would have no adverse impacts on the special interest of a protected building and that such interest is appropriately and proportionately preserved and, where possible, enhanced;

The building itself is not protected. The two buildings on the opposite side of the road to the north are however protected, and the building group to the south-east (excluding the Hayloft). In addition to the above, there is a statutory duty, when considering an application affecting the setting of a protected building, to have regard to the desirability of preserving the special interest by reason of which the protected building is listed and the opportunity that the development may afford to restore, enhance or improve its setting.

The former building is likely to date, at least partially, from before 1787, however has been subject to subsequent alterations, and its original purpose has not been identified. It is acknowledged that the building is likely to have had historical associations with surrounding building and land uses, although it is noted that the building does not form part of a group or individual listing.

Subsequent to the previous application, site clearance has occurred and there is now line of sight to and from the protected buildings to the south-east, although the intervening distance would prevent the structure having a significant impact on the setting of those buildings.

The structure can also be read in the context of the protected buildings to the north, from along Rue des Roquettes, although it is set back from that road.

The proposed works to the structure would retain the form and appearance of the former building, re-using existing materials on site and utilising existing apertures within the walls. Given that the reconstructed building would appear to be similar in appearance to the original building, the proposals would not significantly alter the relationship of the structure with the surrounding buildings and would not therefore result in any adverse impacts on the setting of those buildings.

e. The proposals would have no unacceptable impacts on the contribution a building of character makes to the character and appearance of the area;

The requirements of this criteria reflect and are expanded upon within Policy GP8 (Design), which requires a development to achieve a good standard of design which makes an efficient and effective use of land and respects the character of the local built environment, whilst providing soft and hard landscaping where this reinforces local character and mitigates the impacts of the development.

The principle of reuse of a redundant structure is to make an efficient use of land.

The original building comprised a stone-built structure of traditional proportions, and, were it still intact, could be considered a building of character.

The structure sits within and forms part of a landscape characterised by scattered historic buildings and, following clearance of vegetation, is now visible in longer views in context with those buildings. Glimpses of the structure can now be gained from Route des Talbots to the south-east, although it remains screened in views from the north-east. Due to the set back from Rue des Roquettes to the north-west, the structure is visible but only from a limited section of that road. Although difficult to argue that the contribution of the remaining structure is significant, the structure does form part of the character in those views.

The proposals would maintain the traditional form of the original building, using appropriate materials, and would not result in any unacceptable impacts on the contribution the building makes to the character and appearance of the area.

Earthbanks and hedge planting are proposed to mitigate any visual impacts of the development. The supporting letter to the application refers to an “existing hardsurfaced area” for access and the parking of vehicles, and the submitted plans do not refer to any proposed new hard surfacing. This permission would not therefore confer any consent for any new, replacement or extension of hard surfacing. Change of the existing surfacing to the track to a more formal finish could have impacts on the character of the area and it is therefore recommended that exemption rights for re-surfacing are removed by condition and that it is clarified that no permission is granted for any change to the existing surfacing material.

The proposed scheme would therefore meet the requirements of Policy GP16(A)e) and would achieve a good level of design, which would not have any adverse impacts on the character of the area, in accordance with Policy GP8 (Design).

f. the conversion and any ancillary development associated with it can be implemented without having any unacceptable adverse impacts on the character and openness of the landscape;

Under the previous application it was concluded that the reinstatement of the building would not, in itself, result in any adverse impacts on the character and openness of the landscape. The current proposal would however result in the change of use of land to enable its use for domestic purposes. Such change of use is accepted as a requirement to facilitate the conversion of a redundant structure for residential purposes, subject to meeting the terms of this criterion and Policies OC5(A) (Agriculture Outside of the Centres), GP15 (Creation and extension of curtilage) and GP1 (Landscape Character and Open Land).

Policy OC5(A) would support the change of use, where the proposal complies with all other relevant policies.

Policy GP1 seeks to resist unnecessary loss of open and undeveloped land which would have an adverse impact on open landscape character.

Policy GP15 states that a proposal to create or extend curtilage will be supported where:

- a. it would not have an unacceptable detrimental impact on the landscape character; and,
- b. it would not have an unacceptable impact on the biodiversity interest of an Area of Biodiversity Importance or, where negative impacts are unavoidable, they can be acceptably mitigated in accordance with a scheme to be agreed with the Authority in accordance with Policy GP3: Areas of Biodiversity Importance; and,
- c. it is demonstrated that the land cannot positively contribute to the commercial agricultural use of an Agriculture Priority Area or cannot practicably be used for commercial agriculture within an Agriculture Priority Area without unacceptable adverse environmental impacts; and,
- d. it is demonstrated that it would not involve an unacceptable loss of established boundary features that contribute positively to the character of an area, unless the new or replacement boundary treatment makes an equal or enhanced positive contribution to the character of the area; and,
- e. it would not adversely affect the reasonable amenities of neighbouring residents.

The property is not located within or adjacent to an Area of Biodiversity Importance and the change of use would not require the removal of any boundary features.

The application site does abut an area of open land, extending along the valley bottom to the north-east, south-east and south-west. The proposed curtilage is however well related to the proposed dwelling, and predominantly behind (to the south-east) of that structure. Taking into account the relationship of the proposed curtilage with surrounding land, existing and proposed vegetation and limited views from the surrounding highways, it is considered that the proposal would not impact adversely on the open landscape character of the area. As discussed above, the introduction of a formal driveway surface could however harm that character, together with the introduction of any hard forms of boundary treatment, and it is recommended that exemption rights are withheld for those features.

The land also falls within an Agriculture Priority Area. Notwithstanding the comments made in the covering letter, details submitted as part of the application and aerial photograph regression indicate that the site has been used for agriculture in the past. The aerial photographs do not however show the land immediately adjacent to the former building (and now proposed for change of use) in agricultural use, and, given the proximity to the stream running along the north-east boundary, this could be due to waterlogging. On this basis and, as access would be retained to the remainder of the agricultural land, it is considered that the change of use proposed would not impact on the commercial agricultural use of the APA.

As initially proposed, the submitted information was considered insufficient to meet the biodiversity enhancements required to address the Strategy for Nature. Whilst the revised plans submitted do not set out significant additional areas of planting, limited to the provision of Hawthorn hedging along the proposed earthbanks, the accompanying Biodiversity Statement does set out a more detailed approach to biodiversity on the site and, taking into account the provision accepted on adjacent sites, it is considered, on balance, that the revised proposals would be acceptable. The decision should be conditioned to ensure that the biodiversity measures set out within the Environment Guernsey statement are implemented.

On balance, therefore the proposed curtilage and additional information put forward under this application is considered to meet the requirements of the policies set out above.

The impact on the amenity of neighbouring properties is addressed below.

g. The conversion would not require more than modest extension to the existing building for it to be achieved;

The prefacing text to Policy GP16(A) expands upon this criterion, identifying that conversion may be accompanied by a modest extension “*provided that the extension is not of a scale that it forms a significant part of the new unit, in effect creating a new building contrary to this policy*”.

Whilst the work required to reconstruct the lean-to element of the building would amount to the extension of the building, it has been determined above that that work would not form part of the conversion to residential use.

h. The proposal would have no unacceptable adverse impacts on the amenities and enjoyment of neighbouring properties and the surrounding area;

The building is set away from surrounding residential properties and neither the use nor physical works proposed would have any adverse impacts on the amenities and enjoyment of those properties.

Other matters

Residential amenity, road safety and parking provision

The internal floor space of the proposed new dwelling would exceed the requirements of the Guernsey Technical Standards and be comparable to the best practice guidance set out in the nationally described space standards for a 2 person, one bed dwelling.

The size and quality of the outdoor space would be good for a dwelling of the size proposed and, whilst the window size to the living area is limited by the reuse of existing apertures, there would be adequate daylight and an attractive outlook. Overall, the proposed dwelling could provide a good living environment, in accordance with Policy GP8(d) and Annex I: Amenities.

The proposal is for a single bed unit of accommodation, using the existing access point and track to the site. The track does not provide turning for vehicles on site however, on balance, taking into account the nature of the adjacent road, that the situation is existing and as the proposal would not result in significant additional vehicle movements, any road safety concerns raised would not be sufficient to warrant refusal of the application.

The proposed parking provision is appropriate to serve a dwelling of the size proposed, in accordance with the requirements of Policy IP7. Cycle storage would be provided in the lean-to store and retention of that storage would be controlled by condition, as set out above.

Sustainability, accessibility and adaptability

It is acknowledged that the constraints involved in a conversion scheme can limit the options for incorporating sustainable and accessibility features.

In terms of accessibility to and within the building and the provision of flexible accommodation, no information has been provided. The submitted plans however show that sleeping, WC and bathing accommodation is to be at ground floor level and level access would be achieved through compliance with the Building

Regulations. On balance therefore the proposal is considered to meet the terms of Policy GP8 (Design), parts f) & g).

In respect of sustainable design approaches, it is noted that the conversion of a structure is, in itself, inherently sustainable. In this case, it is also confirmed that, in addition to retention and upgrade of existing walls and reuse of pantiles found on the site, high levels of insulation will be incorporated to the floors and roof and energy efficient windows and doors will be used. The proposed development has therefore been designed to take into account matters of energy efficiency and would meet or exceed current Building Regulations, addressing the requirements of GP9.

Conclusion

In light of the above, in the very particular circumstances of this site and taking into account the extent of fabric remaining together with the historical associations of the original building, it is considered that the proposal accords with the purpose of the Law, material considerations and relevant planning policies and approval is recommended.

Date: 21/10/2024