

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 alter barn into 2 dwellings with associated works, demolish section of wall/garage to widen vehicle access to east boundary.

LOCATION: Les Grandes Capelles, Les Grandes Capelles Lane, St. Sampson.

APPLICANT: Mr & Mrs Perchard

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: 08/11/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 29/05/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: CCD Architects: 3386 PL01A, PL02C, PL03A, PL04 & PL05B

Application Ref: FULL/2024/0899

Property Ref: B011960000

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.Unit 1 shall not be occupied until details of the shed/provision to be made for, secure and covered, cycle parking has been submitted to and agreed in writing by the Authority, and the agreed scheme has been fully implemented.

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

5.The windows in the north elevation of unit 1 shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) and which shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

6.The end of the enlarged opening shall be finished off using materials and methods of construction to match the remainder of the existing roadside boundary wall within four weeks of the existing opening being enlarged.

Reason - To ensure the widened access is completed in a reasonable time period to match the appearance of the existing wall in the interests of visual amenity.

7.No dwelling shall be occupied until the fence separating the frontage of units 1 and 2 has been fully completed.

Reason - To provide a reasonable level of amenity for the occupiers of the dwellings.

Expiry Date: This permission will cease to have effect on 08/11/2027 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/2024/0899
Property Ref: B011960000
Valid date: 29/05/2024
Location: Les Grandes Capelles Les Grandes Capelles Lane St. Sampson
Guernsey GY2 4UT
Proposal: Convert and alter barn into 2 dwellings with associated works,
demolish section of wall/garage to widen vehicle access to
east boundary.
Applicant: Mr & Mrs Perchard

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. Unit 1 shall not be occupied until details of the shed/provision to be made for, secure and covered, cycle parking has been submitted to and agreed in writing by the Authority, and the agreed scheme has been fully implemented.

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

5. The windows in the north elevation of unit 1 shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) and which shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

6. The end of the enlarged opening shall be finished off using materials and methods of construction to match the remainder of the existing roadside boundary wall within four weeks of the existing opening being enlarged.

Reason - To ensure the widened access is completed in a reasonable time period to match the appearance of the existing wall in the interests of visual amenity.

7. No dwelling shall be occupied until the fence separating the frontage of units 1 and 2 has been fully completed.

Reason - To provide a reasonable level of amenity for the occupiers of the dwellings.

OFFICER'S REPORT

Site Description:

The site comprises of a group of traditional buildings situated to the west of Les Grandes Capelles Lane. The site includes a dwelling with associated garden to the north of an access road with a former agricultural barn and a modern triple single storey garage to the south of the access road. The site is Outside of the Centres.

Relevant History:

01/03/1999 – Permission granted to convert barn to provide ancillary accommodation.

Existing Use(s):

Residential use class 1: dwelling house

Brief Description of Development:

Planning permission is requested to convert and alter barn into two, 3 bedroom dwellings, demolish section of wall/garage to widen southern vehicle access by 2m to a total width of 5m.

The application is accompanied by a structural report.

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

Policy OC1: Housing Outside of the Centres

Policy GP1: Landscape Character and Open Land

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP16(A): Conversion of Redundant Buildings

Policy IP6: Transport Infrastructure and Support Facilities

Policy IP7: Private and Communal Car Parking

Policy IP9: Highway Safety, Accessibility and Capacity

Representations:

None

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. The principle of residential conversion.
2. The impact of the development on the character and appearance of the area.
3. The impact on the amenities of neighbouring residents.
4. Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings.

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).**

Policy OC1 provides scope for the conversion of existing redundant buildings to dwellings Outside of the Centres provided that specific criteria as set out in Policy GP16(A) are met.

The agent advises that the northern half of the barn was converted to habitable accommodation ancillary to the main house during the 1990s whilst the southern half of the barn was previously used for domestic storage and as a games room. The agent sets out that by virtue of the size of the main house, including loft space and eaves cupboards, the use of the southern half of the barn as domestic storage is not required. In addition, it is highlighted that a plant room/shed to the east of the pool house and the pool house itself provide opportunities for storage. The agent advises that the main house is a substantial 5 bedroom house with abundant living space, far exceeding that of a typical dwelling, and the use of the barn as ancillary accommodation has only ever been a luxury. Should a games room be required in future this could be achieved by utilising the abundant living space or a bedroom of the main house. Plans have been submitted to indicate that there are 3 parking spaces to the north of the access road to serve the existing dwelling.

The floor area of the barn equates to a substantial proportion when compared to the floor area of the existing main house and its location and relationship with the main house (situated on the opposite side of the shared access road) does reduce its sense of being intimately associated with the main house. The information submitted is sufficient to demonstrate that ample storage and space/opportunities to create ancillary accommodation would remain for the existing dwelling and there would be sufficient parking to serve the existing dwelling. As a result, it has been demonstrated that the building is redundant for the purposes of Policy GP16(A).

The structural report states that the barn is in very good condition and has been well maintained, with no signs of any structural movement. The structural report concludes that the building is of sound and substantial construction and has the capacity in its current state to be converted to a residential dwelling. No extensions are proposed and the conversion involves only minor alterations to fenestration including additional windows in the east elevation. Overall the information submitted is sufficient to demonstrate that the existing building is of sound and substantial construction and is capable of conversion without extensive alteration or rebuilding.

The building is not a protected building but is part of a group of traditional buildings which positively contribute to the character and appearance of the area. No extensions are proposed and the alterations to fenestration will respect the character and appearance of the building. The use of the building as 2 dwellings and the proposed associated alterations including the creation of external amenity areas and parking would have no adverse effects on the character and openness of the landscape.

The site is bounded to the north, south and west by neighbouring residential properties. A first floor bedroom window in the north elevation of unit 1 is proposed to be obscure glazed which will be sufficient to prevent significant interface issues with the existing dwelling. Unit 1 includes a first floor window in the west elevation serving a hallway. Although the window will affect the privacy of a neighbouring

property to the west, the window is an existing window and the proposal is unlikely to result in a materially greater level of harm than currently exists. Otherwise, the positioning of fenestration and the relationship with neighbouring properties is unlikely to result in any unacceptable adverse effects on the amenities of the neighbouring residents.

The proposed dwellings would exceed minimum internal space standards as set out under the Building Regulations and the best practice minimum internal space standards which are published on the Authority's website for 3 bedroom dwellings for 4 people. Other than a gable window in the north elevation of unit 1, the habitable rooms of the proposed dwellings are single aspect with east facing windows. Whilst this will limit sunlight to the properties, the levels of daylight are likely to be adequate.

A high timber fence would separate and provide a degree of privacy to the frontage of the dwellings although the level of privacy of the external area for unit 1 would be affected by fenestration from the existing dwelling and the access road. The external amenity areas are of limited size and quality for the type and nature of the dwellings that they would serve. Overall despite some deficiencies, particularly regarding the external amenity space, the proposed dwellings are likely to provide a satisfactory living environment.

The proposal to demolish a section of wall to widen the vehicular access for unit 2 would retain a substantial section of the roadside wall and would have a limited impact on the character and appearance of the area.

Ample car parking would be provided for both of the proposed dwellings. Sheds/stores are indicated which could provide sufficient secure covered bicycle storage for the dwellings, details of the shed for unit 1 can be dealt with by condition. Although the proposal will result in the modest intensification of use of accesses with substandard sightlines, the accesses are onto a Neighbourhood and Country Road where due to the low traffic flows a greatly relaxed regime of traffic management is permissible. In this case, due to the nature of the highway, the deficiencies in the accesses are unlikely to result in any significant road safety or traffic management concerns.

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.

It is recommended that the application is approved.

Date: 06/11/2024

