

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: Change of use of 1st floor to self-catering unit (Use Class 8). Install rooflights to south-east elevation and alterations to fenestration (part retrospective) (Protected Building).

LOCATION: Les Caches, Rue Des Caches, St. Pierre Du Bois.

APPLICANT: Mrs A Willment

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: 11/12/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 27/09/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Direct Architectural Solutions - 1427-SK-50A & 51B

Application Ref: FULL/2024/1559

Property Ref: F012710000

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 premises shall be used as a self-catering unit, falling within Visitor Use Class 8 of the Land Planning and Development (Use Classes) Ordinance, 2017.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

5.On cessation of the use of the 1st floor of the garage as a class 8 self-catering unit, the 1st floor of the garage shall revert back to ancillary use in association with the single dwellinghouse, Les Caches, as defined in Residential Use Class 1 of the Land Planning and Development (Use Classes) Ordinance, 2017 or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance.

Reason - To ensure the return to use as a single dwellinghouse once the visitor accommodation use ends.

Expiry Date: This permission will cease to have effect on 11/12/2027 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/2024/1559
Property Ref: F012710000
Valid date: 27/09/2024
Location: Les Caches Rue Des Caches St. Pierre Du Bois Guernsey
GY7 9SG
Proposal: Change of use of 1st floor to self-catering unit (Use Class 8).
Install rooflights to south-east elevation and alterations to
fenestration (part retrospective) (Protected Building).
Applicant: Mrs A Willment

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 premises shall be used as a self-catering unit, falling within Visitor Use Class 8 of the Land Planning and Development (Use Classes) Ordinance, 2017.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

5. On cessation of the use of the 1st floor of the garage as a class 8 self-catering unit, the 1st floor of the garage shall revert back to ancillary use in association with the single dwellinghouse, Les Caches, as defined in Residential Use Class 1 of the Land Planning and Development (Use Classes) Ordinance, 2017 or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance.

Reason - To ensure the return to use as a single dwellinghouse once the visitor accommodation use ends.

OFFICER'S REPORT

Brief Description of the site:

Les Caches comprises a traditional building group, with farmhouse and walled garden, and associated barns and outbuildings. The building group is located within the domestic curtilage in the centre of the site, with the land to the north-east, east and south of the property classified as agricultural. The site is accessed from Rue des Caches to the east.

The whole of Les Caches house is protected together with several barns and outbuildings. The free-standing greenhouse and newly constructed garage are not protected. Research suggests that the buildings have their origins in c.1450 with phases of development c.1500 and during the 18th and 19th centuries (McCormack, 2015 – building reference 237).

The site is bounded by the Route de Plaisance along part of the north boundary, and a residential property for the remainder. To the south and east the site is separated from fields by Rue des Caches and Rue des Rondiaux. There are residential properties located to the south-east of the site. The site is bounded by fields to the west.

The site is located to the south of the St Peters Local Centre, with the north-east corner of the site falling within the Local Centre designation, and being identified as Important Open Land. The majority of the property, including the buildings and associated domestic curtilage, however falls Outside of the Centres.

Relevant History:

Various applications for works to the house and outbuildings, together with the creation of a glamping operation on the land to the north-east of the building group. Specifically relevant to this application:

FULL/2022/1055 Erect 1.5 storey detached garage/carport/store with external staircase to east of existing garage and stables. (Protected Building). Approved 07/07/2022. Minor amendments to increase height of building, extend roof to create store, add steps, omit rooflights and increase solar panels (south-east elevation), omit log store and solar panels, add dormer and window, re-position rooflights (north east elevation), add canopy over stair, re-position dormer and rooflight (south west elevation), alter dormer (north west elevation) approved 27/09/2022.

FULL/2023/0548 Install replacement roof, dormer windows and veranda to south elevation and rooflights to south and north elevations, install external staircase to east elevation, alter fenestration and internal alterations to create self catering unit (Use Class 8) in Barn B (Protected Building). Approved 18/09/2023

Existing Use(s):

Residential Use Class 1 - It is not known whether the change of use of Barn B has been undertaken.

Assessment: *(Tick as appropriate)*

no representation

X

accords with policy

X

within curtilage

X

design acceptable

X

visual amenity acceptable

X

no material neighbour impact

X

traffic not affected

X

Policies considered most relevant:

OC8(A) Visitor Accommodation Outside of the Centres

GP5 Protected Buildings

GP8 Design

GP9 Sustainable Development

IP7 Private and Communal Car Parking

Conclusion/Brief comment:

Permission is sought for the change of use of the first floor within the newly constructed detached garage, to be used as a 2 bed self-catering apartment. To facilitate the change of use it is proposed to reintroduce 3no rooflights to the south-east elevation and to alter the dormer window previously approved to the north-

west elevation. It is also proposed to omit one door and reposition the other in the south-east elevation serving the undercroft.

OC8(A) supports visitor accommodation Outside of the Centres where it is created through the change of use of existing buildings, and where:

- The development is of a scale that is appropriate to the character of the location, is undertaken sensitively to as not to detract from the landscape character of the locality and does not undermine the vitality of a Centre; and
- 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 available at the site and would not have an adverse effect on the visual quality and landscape character of the location.

In this case, Policies GP8 and GP9, relating to Design and Sustainable Development, and Policy IP7, in relation to provision of parking, would also be relevant and the proposals must satisfy the terms of Policy GP5 of the Plan, and meet the statutory duties with regard to protected buildings.

This application is for the creation of a single unit of visitor accommodation, utilising an existing building located within an existing building group. Whilst comprising the second such unit approved at the site, the proposals are of limited scale, and would not impact adversely on the landscape character or visual quality of the location and would not undermine the vitality of a Centre.

The floor space is currently designated as storage associated with the residential use of the wider site, however storage would be retained within the building at ground floor level, and within the undercroft and there are other buildings at the site which could fulfil this function.

The building itself is not protected and the proposals would not significantly alter the relationship of the building with the adjacent protected structures.

The building group is set on a substantial site, away from the site boundaries, and there would be no adverse impacts on the amenity of nearby residential properties, nor would the provision of an additional self-catering unit as proposed have any adverse impact on the amenity of existing uses at the application site.

External amenity provision is not specified, however this would not be a requirement for self-catering accommodation and there is ample space within the site to provide this should it prove to be desirable.

Parking provision for the unit is not specified, however there is sufficient space on site to cater for any additional parking requirements. The site is also located close to a Local Centre with access to the facilities and infrastructure provided.

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.

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

Recommendation:

Grant with Conditions



Date: 29/11/2024

