

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 from administrative offices (Use Class 16) to a dwelling (Residential Use Class 1).

LOCATION: Merchant House, Back Street, St. Peter Port.

APPLICANT: Quartet Limited

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: 22/11/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 24/09/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: CCD Architects: 3877/CS01A, CS02A, CS03 & CS04A.

Application Ref: FULL/2024/1586

Property Ref: A302600000

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.

Expiry Date: This permission will cease to have effect on 22/11/2027 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/2024/1586
Property Ref: A302600000
Valid date: 24/09/2024
Location: Merchant House Back Street St. Peter Port Guernsey
GY1 1HS
Proposal: Change of use from administrative offices (Use Class 16) to a
dwelling (Residential Use Class 1).

Applicant: Quartet Limited

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.

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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.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested to change the use from administrative offices (Use Class 16) to a 4 bedroom dwelling (Residential Use Class 1). No external or internal alterations are proposed.

The site is situated to the south of Back Street and forms a corner plot along the street. The building comprises of 3 storeys with the 3rd storey formed by a mansard roof. Due to the change in levels with ground levels increasing from east to west, there is a stepped change in the floor levels of approximately 0.5 metres between the eastern and western sections of the building.

The site forms part of the St Peter Port Conservation Area which has a fine grain of historic buildings which form the historic townscape. The area has high historic, architectural and townscape value with numerous protected buildings in the immediate vicinity. The site is within the St Peter Port Main Centre Inner Boundary.

Relevant History:

None

Existing Use(s):

Office

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

✓
✓
✓
✓

visual amenity acceptable
no material neighbour impact
traffic not affected

✓
✓
✓

Policies considered most relevant:

Policy MC2: Housing in Main Centres and Main Centre Outer Areas
Policy MC4(A): Office Development in Main Centres
Policy GP4: Conservation Areas
Policy GP8: Design
Policy GP9: Sustainable Development
Policy IP6: Transport Infrastructure and Support Facilities
Policy IP7: Private and Communal Car Parking

Conclusion/Brief comment:

The floor space of the existing office is 260 square metres. The agent advises that the office is a tertiary office and due to the complex layout of the existing building including split levels, convoluted staircase and access, split individual offices, no central heating and limited kitchen and WC facilities, the existing office accommodation provides an unsatisfactory standard of accommodation and it cannot be easily refurbished to meet modern needs. In addition, it is noted that the total floor area of the office only just exceeds 250 square metres (below which Policy MC4(A) would support the loss of office accommodation) and with only 185 square metres of usable floor space the office includes a large proportion of ancillary and circulation spaces. The agent advises that the office accommodation has not been marketed but due to the issues noted above and the limited size of the office, there would be no demand for an office of this type in this location and a minor departure is requested from the marketing element of Policy MC4(A) (a).

The information submitted by the agent provides comprehensive details about the issues with the quality of the existing accommodation and the ability for it to be refurbished to meet modern needs. Due to an oversupply of small tertiary offices, Policy MC4(A) supports the loss of office premises not exceeding 250sqm. In this case, although the floor area marginally exceeds the small office floor space of 250 square metres, due to the issues demonstrated with the quality of the existing accommodation and the ability for it to be refurbished to meet modern needs, the tertiary nature of the accommodation and the proportion of ancillary and circulation spaces, it is accepted that the loss of this office would have no significant adverse effects on the overall office supply and the lack of marketing in this case can be considered as a minor departure from Policy MC4(A).

As set out in Policy MC2, the majority of the Island's housing supply is to be provided within and around the Main Centres and Policy MC2 supports the development of the site for housing where it accords with all other relevant policies of the Island Development Plan and where able to, the site provides an appropriate mix and type of dwellings. Taking into account that the development involves the conversion of a historic building and the layout and change in levels within the building, the proposal to create a 4-bedroom dwelling would provide an appropriate mix and type of dwellings whilst making an effective and efficient use of land.

The proposal involves no external alterations. The change of use of the building to a residential use would conserve the character and appearance of the Conservation Area.

The proposed dwelling substantially exceeds the Guernsey Technical Standards minimum internal space standards and the best practice minimum internal space standards which are published on the Authority's website. The dwelling is dual aspect and would receive adequate sunlight and daylight. Levels of privacy would be similar to neighbouring properties and would be adequate given its central town

location and the character of built development in the area. The dwelling would have an outlook over the street. No private or communal open space is provided on-site but it is acknowledged that there is communal open space within a reasonable walking distance. Overall given its central town location, the proposal would provide a satisfactory quality of residential environment for future occupiers, in accordance with Policy GP8.

No changes are proposed to the existing windows and due to the character of the area comprising of a fine grain of historic buildings and the current levels of privacy between properties, the change of use from an office to a residential use is unlikely to have a material adverse effect on the amenities of neighbouring residents.

Five on-site car parking spaces are indicated within the existing basement garage and ample bicycle storage could be provided within the garage. Whilst the on-site parking exceeds the maximum Parking Standards, the proposal is unlikely to have any significant adverse effects on road safety and traffic management and it would be unreasonable to artificially restrict the size of the existing garage.

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.

Recommendation:

Grant with Conditions



Date: 19/11/2024

