

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 Residential Home (Use Class 4) to premises in Multiple Occupation (Use Class 6).

LOCATION: La Grande Lande, Les Buttes, St. Saviour.

APPLICANT: Mr R Tilleard

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: 20/01/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/10/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton - 2465 01.01, 01.02B, 01.03A, 01.04 & 01.05.

Application Ref: FULL/2024/1720

Property Ref: E004960000

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.Prior to the first occupation of the property as a premises in multiple occupation, a scheme showing the provision to be made for the parking of cycles, under cover and secure, shall be submitted to and agreed in writing by the Authority, and the agreed scheme shall be fully implemented.

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

Expiry Date: This permission will cease to have effect on 20/01/2028 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/2024/1720
Property Ref: E004960000
Valid date: 22/10/2024
Location: La Grande Lande Les Buttes St. Saviour Guernsey GY7 9FH
Proposal: Change of use from Residential Home (Use Class 4) to premises in Multiple Occupation (Use Class 6).

Applicant: Mr R Tilleard

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.

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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.

4. Prior to the first occupation of the property as a premises in multiple occupation, a scheme showing the provision to be made for the parking of cycles, under cover and secure, shall be submitted to and agreed in writing by the Authority, and the agreed scheme shall be fully implemented.

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

OFFICER'S REPORT

Site Description:

The site comprises of a traditional 1½ storey building fronting onto the highway with an extensive single storey pitched roof extension to the rear. There is a large hard surfaced parking area to the rear, access via a driveway to the east of the buildings, and various detached sheds and outbuildings.

The site is Outside of the Centres and within a Conservation Area and Agriculture Priority Area.

Relevant History:

None

Existing Use(s):

Residential use class 4 – specialised housing

Brief Description of Development:

Planning permission is requested for the change of use of the site from a residential home (Residential use class 4) to a premises in multiple occupation (Residential use class 6) comprising of 15 bedrooms with a maximum of 30 occupants. No external alterations are proposed.

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

OC1 – Housing Outside of the Centres
GP4 - Conservation Areas
GP7- Archaeological Remains
GP8 – Design
GP9 – Sustainable Development
GP13 – Householder Development
IP6 – Transport Infrastructure and Support Facilities
IP7 – Private and Communal Car Parking
IP9 – Highway Safety, Accessibility and Capacity

Representations:

None

Consultations:

The Office of Environmental Health and Pollution Regulation, 23/10/2024

"I have reviewed the proposed plans for change of use to class 6 which were received by email on 22nd October. There are a number of issues where additional information is needed, primarily in relation to the space and facilities that will be provided to the residents for cooking and eating. So that I may provide a detailed response I should be grateful if the applicant could provide details of the following;

- Maximum number of occupants in each sleeping room
- Total number of occupants in the dwelling (maximum)
- The number of ovens, cooking rings, sinks and amount of workspace in the kitchen.

I should like to draw the applicants attention to

<https://www.gov.gg/housingstandards> which details the current minimum standards for rental accommodation. It should be noted that the States of Guernsey passed the Housing (Standards and Regulation) (Enabling Provisions) Law in 2021. The purpose of this law is to enable the drafting of legislation which will improve rental property housing standards, including houses in multiple occupation. The applicant is advised to consider the applications in relation to future legal requirements".

The Office of Environmental Health and Pollution Regulation, 18/11/2024

"I have reviewed the additional information which was received by email on 18th November and there is still insufficient detail to provide a full response, therefore I recommend refusal of this application.

The additional information states that the accommodation will house up to 30 people in 15 bedrooms. people. I note that the plans show showers are provided in the following locations:

- 1 private shower within the Perelle suite for up to 2 occupants
- 1 shared shower on the ground floor opposite the Portlet suite.
NB, although two showers, a toilet and basin are shown, it is an open plan room which can only be used privately by one person at a time.
- 1 shared shower on the top floor adjacent to the Bon Port suite

Two showers for up to 28 people is insufficient. The number of shared showers should be provided at a ratio of 1 shower per 5 sharers.

Although the letter indicates 10 cookers and 6 sinks will be provided, the plan does not show where they will be located.

In addition, could the applicant please confirm that the square meters detailed for each sleeping room includes only the area where the headroom is at least 1.5m high? This will establish whether the rooms on the upper floor are suitable for single or double occupancy, which will determine the number of additional showers needed and the cooking and food preparation facilities needed”.

The Office of Environmental Health and Pollution Regulation, 08/01/2025

“I have reviewed the additional information which was received by email on 7th January 2025 and make the following comment;

To provide sufficient food preparation facilities for up to 30 occupants

- Kitchen 1 requires one additional sink, or the proposed single sink replacing with a double sink.
- Kitchen 2 requires one additional oven”.

The Office of Environmental Health and Pollution Regulation, 16/01/2025

“I have reviewed the further revised plans which were received by email on 16th January, and I do not wish to raise any objections to the proposals”.

Summary of Issues:

The main issues in deciding this application are:

- The principle of the development
- Residential amenity
- Highway safety and capacity

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 principle of the development

Information has been submitted which sets out that the former residential home did not provide a specialised care facility. As the former residential home did not offer the full range of ‘care services’ as defined by the States, the premises are considered to be specialised housing that is not a social and community use. There is therefore no need to demonstrate that the facility is no longer required or to be provided elsewhere under Policy OC2.

As a result, and as the site comprises a single residential planning unit (unlike a building comprising a number of flats, for example) Policies OC1 and GP13 provide support in principle for the change of use to another form of residential use.

Residential amenity

The proposed accommodation comprises a mix of good-sized bedrooms, the majority of which include en-suites with showers and some that would make use of shared shower rooms. All residents would have access to shared kitchens and communal living areas. The Office of Environmental Health and Pollution Regulation raise no objections to the proposed facilities for the stated number of occupants. Together with the established gardens that would provide good external amenity space, the proposal is likely to provide a satisfactory living environment.

Due to the distance to neighbouring residential properties, the proposal is unlikely to have any significant adverse effects on the amenities of neighbouring residents.

Highway safety and capacity

There are no alterations proposed to the existing vehicular access or number of parking spaces.

In the context of the former use, and although the precise number of comings and goings of staff, deliveries and visitors associated with that use is not known, on the basis of the capacity of the parking area and number of residents (both previously and as proposed) it is not considered likely that the proposed change of use would give rise to so great a change in the nature or frequency of vehicle movements to and from the site that the safety and capacity of the local highway network would be materially impacted.

No specific details of bicycle storage is provided although the agent refers to the potential for secure indoor bicycle parking under existing canopies and within outbuildings. The existing outbuildings could provide adequate bicycle storage or alternatively there would be ample space on the site to install purpose built bicycle storage. Details of the bicycle storage arrangements for residents and visitors will be required but this could be dealt with by condition.

The application is considered to comply with the requirements of Policies IP6, IP7 and IP9.

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: 17/01/2025

