

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 ground floor from retail to a residential flat (Use Class 2) and replacement windows.

LOCATION: 33 George Street, St. Peter Port.

APPLICANT: Eaton Place Investments Ltd

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: 13/12/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/11/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTECH Freelance Architecture: EPL-24-1199-03A & 04A

Application Ref: FULL/2024/1871

Property Ref: A301760000

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 replacement window to the northwest elevation shall be of vertical sliding sash design and method of opening and shall be installed prior to the first occupation of the unit of residential accommodation hereby approved.

Reason - In the interests of residential amenity and the character and appearance of the Conservation Area.

Expiry Date: This permission will cease to have effect on 13/12/2027 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/2024/1871
Property Ref: A301760000
Valid date: 12/11/2024
Location: 33 George Street St. Peter Port Guernsey GY1 1NF
Proposal: Change of use of ground floor from retail to a residential flat (Use Class 2) and replacement windows.

Applicant: Eaton Place Investments Ltd

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.

4. The replacement window to the northwest elevation shall be of vertical sliding sash design and method of opening and shall be installed prior to the first occupation of the unit of residential accommodation hereby approved.

Reason - In the interests of residential amenity and the character and appearance of the Conservation Area.

OFFICER'S REPORT

Brief Description of the site:

The property known as '33 George Street' is a three/four storey attached corner building, circa early 19th century. George Street is to the southwest and Allez Street is to the northwest and there are attached buildings to the northeast and southeast. The building comprises two flats on the upper levels, a retail unit at ground floor. The property is located in the St Peter Port Main Centre and Conservation Area as defined in the Island Development Plan.

Relevant History:

A pre-application enquiry earlier in the year.

Existing Use(s):

Retail use class 10: general retail &
Residential use class 2: flats (above).

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:

MC2: Housing in Main Centres and Main Centre Outer Areas
MC6: Retail in Main Centres
GP4: Conservation Areas
GP8: Design
GP9: Sustainable Development

Conclusion/Brief comment:

This application is for a change of use of the ground floor from retail to a flat, a bedsit, and to change the existing ground floor single pane shop window for three timber sash windows and to repair the two existing single sash windows.

The principle of conversion of the ground floor to an additional unit of accommodation is acceptable in policy terms as Policy MC2 supports conversions to residential use within main centres. Policy MC6 also allows for the change of use away from retail outside the Core Retail Area, where the proposal supports the objective of ensuring the Main Centres remain socially and economically attractive and viable. The proposal is acceptable in this regard as the residential use is considered to support this objective.

Policy GP4 reflects the statutory duty to preserve and enhance the special quality of the character and appearance of the surrounding Conservation Area.

The proposals do include external changes comprising replacement of single shop window to three timber sash windows. The interior is partition lined, and proposed works will have no significant effect on the fabric of the building. The proposed changes are not considered to have any detrimental impacts on the special quality of the surrounding Conservation Area.

The drawings show a 5.4sqm storage room on the first floor, labelled as a wardrobe. It appears to sit outside either the existing first floor or proposed ground floor flat. It is not entirely clear which unit this will serve. Nonetheless, the floor area without the storage area is 34sqm which exceeds the minimum space standards specified in Part G of the Guernsey Technical Standards for one occupant living in a bedsit.

The amenity of the flat will be limited, with limited light and ventilation particularly to the kitchen and bathroom. The outlook of the bedsit would be at street level, which is not uncommon in urban areas, and replacing the single window with three sash windows may lessen the opportunity for overlooking. There is no parking, outdoor amenity space, bin or bike storage. However, the property lies within the Main Centre of St Peter Port, where public amenity spaces are within close proximity. The flat will also be sustainably located close to public transport links, public cycle stands and public car parks. When balancing the different amenity standards set out in Annex I the scheme is considered satisfactory overall.

The proposed changes are not considered to impact on any neighbour amenity and there are similar units of accommodation within the area.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

In summary, the proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions. Although the standard of amenity enjoyed by the occupants would be limited, on balance it is considered that the amenity standards are acceptable in the Main Centre location as there are public open spaces in the near vicinity.

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: 11/12/2024

