

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 office to 2 flats (Use Class 2), demolish extension, erect single storey extension, external steps and raised walkway to south (rear) elevation, fenestration and internal alterations (Protected Building).

LOCATION: 5 College Terrace, Grange Road, St. Peter Port.

APPLICANT: Mrs G Scott

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: 28/11/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/12/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: The Drawing Room - 400 C1, C2D, C3C, C4A, C5C and C6,

Application Ref: FULL/2024/2028

Property Ref: A202340000

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 commencement of any work in connection therewith large scale details to show the means by which the extension would be attached to the existing building (taking particular care over the stone window lintel) shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed works. This condition is imposed to make sure that the works will not have a detrimental impact on the special interest of the Protected Building.

5.Prior to the removal of any of the existing doors large scale drawings (1:20 elevations; 1:5 sections) of all new and replacement internal doors shall be submitted to and agreed in writing by the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed works. This condition is imposed to make sure that the works will not have a detrimental impact on the special interest of the Protected Building.

6.Prior to the commencement of any work in connection therewith details including the external appearance of all new vents and extractors shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed works. This condition is imposed to make sure that the works will not have a detrimental impact on the special interest of the Protected Building.

Expiry Date: This permission will cease to have effect on 27/11/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Means of waterproofing and insertion of a damp proof course have not been specified but introduction of a cementitious waterproofing system such as Vandex could have the effect of trapping damp within the walls which could, over time, deteriorate the fabric of the protected building. In the first instance, the use of a lime-based render is supported as this would have the least effect on the special interest of the protected building and would be of benefit in drawing out damp. This is, however, ultimately down to the agent/specialist (and their professional indemnity insurance) to specify a system that will not result in such problems.

Repair of the first floor chimney wall (containing skirting boards, picture rail and ornate architraves) and fireplace (over-painted Victorian tiles) can be considered a Class 5 exemption provided alterations do not go beyond repair. Should alterations exceed repair further discussion must be had with the Authority.

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/2024/2028
Property Ref: A202340000
Valid date: 23/12/2024
Location: 5 College Terrace Grange Road St. Peter Port Guernsey
GY1 2PX
Proposal: Change of use of ground floor from office to 2 flats (Use Class 2), demolish extension, erect single storey extension, external steps and raised walkway to south (rear) elevation, fenestration and internal alterations (Protected Building).
Applicant: Mrs G Scott

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. Prior to the commencement of any work in connection therewith large scale details to show the means by which the extension would be attached to the existing building (taking particular care over the stone window lintel) shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

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INFORMATIVES

Means of waterproofing and insertion of a damp proof course have not been specified but introduction of a cementitious waterproofing system such as Vandex could have the effect of trapping damp within the walls which could, over time, deteriorate the fabric of the protected building. In the first instance, the use of a lime-based render is supported as this would have the least effect on the special interest of the protected building and would be of benefit in drawing out damp. This is, however, ultimately down to the agent/specialist (and their professional indemnity insurance) to specify a system that will not result in such problems.

Repair of the first floor chimney wall (containing skirting boards, picture rail and ornate architraves) and fireplace (over-painted Victorian tiles) can be considered a Class 5 exemption provided alterations do not go beyond repair. Should alterations exceed repair further discussion must be had with the Authority.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a 3.5 storey building situated to the south of the La Grange. The ground floor is currently unoccupied but was previously used as an office. The upper floors comprise residential flats. Surrounding the site the area comprises Elizabeth College to the north and residential properties in all other directions.

The site is located in the Main Centre Inner Area, and a Conservation Area as designated in the Island Development Plan. The whole of the property (interior and exterior) is protected.

Relevant History:

PAPP/2009/0577	Change of use from shop to office	Granted 02/06/2009
PAPP/1999/3144	Demolish outbuilding and construct a dwelling	Refused 05/10/1999

Existing Use(s):

Office Use Class 16 - Currently unoccupied (ground floor)
Residential Flats – all other floors

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

Island Development Plan policies:

MC2: Housing in Main Centres and Main Centre Outer Areas;
MC4(A): Office Development in Main Centres;
GP4: Conservation Areas;
GP5: Protected Buildings;
GP8: Design;
GP9: Sustainable Development;
IP6: Transport infrastructure and support facilities; and
IP7: Private and Communal Car Parking

Conclusion/Brief comment:

Planning permission is sought to change the use of the ground floor of the premises from office use to two flats, to demolish an existing extension and erect a single storey extension to the rear. The proposal also includes the creation of external steps and a raised walkway to the rear, alterations to the fenestration and internal alterations to the building.

During consideration, the application was deferred on three occasions to address concerns raised regarding the impact of the proposal on the special interest of the protected building and to satisfy Building Control requirements. Revised plans have been submitted which reconfiguring the internal layout, together with a revised Statement of Significance which are assessed in detail below.

The existing building comprises a single planning unit currently vacant but previously used for office purpose. The floorspace of the unit comprises a total of 350m². The Office Quality Audit 2023 identifies the office as a Tertiary office. 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 modestly exceeds the small office floor space of 250 square metres, due to the tertiary nature of the accommodation, it is accepted that the loss of this office space 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) which has been requested by the applicants agent.

Policy MC2 would support the change of use of the accommodation for residential purposes. The proposed accommodation provides two one bedroom flats which meets the current housing needs and although a mix of types of accommodation on this site would be preferred, in this instance due to the nature of the site and that it involves the conversion of an existing protected building, the mixture and type of housing that can be provided is restricted. Furthermore, the units as proposed make the most effective and efficient use of the site in accordance with planning policy.

The proposed units would exceed the Guernsey Technical Standards minimum internal space standards and would comply with the best practice minimum internal space standards which are published on the Authority's website. The units are both 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 flats are accessible, set over a single level, with level thresholds ensuring access for all abilities.

A private courtyard is provided to the rear of each flat with separate stairwells providing access to a large communal shared garden (shared with the existing upper floor flats). The level of amenity space provided is acceptable and it is also acknowledged that the site is central within town and is within walking distance of public open spaces that surround. Overall given its central town location, the

proposal would provide a satisfactory quality of residential environment for future occupiers, in accordance with Policy GP8.

Whilst the nature of any overlooking impact to neighbours properties may change from that which existed when the floorspace was in use as an office, it is not considered that any such impact would be so substantially different or greater that permission could be refused on that ground alone.

The Authority has a duty under Section 34 of the Law to wherever possible ensure the special interest of a protected building is not harmed and to pay special attention to preserving the protected building's special characteristics. This duty is encapsulated in Policy GP5 which supports proposals to extend or alter a protected building where the development proposed does not have an adverse effect on the special interest of the particular protected building or its setting. The policy states that in all cases proposals must accord with other relevant policies of the IDP.

The site is also within a Conservation Area. It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting Conservation Areas, to secure so far as possible that the special historic, architectural, traditional or other special characteristics are preserved. This is reflected in Policy GP4 which supports development that conserves, and where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area.

The application proposes external alteration to the existing building in the form of the demolition of the existing single storey extension that spans the rear of both units and the erection of a replacement, the erection of two external stairwells to the rear of the site, alterations to the fenestration and internal alterations. The extensions and alterations are appropriately designed and the materials to be used will be in-keeping with the host building and the character of the area. Details/large scale drawings of the replacement windows have also been provided. Subject to conditions for large scale drawings of all new and replacement doors, details of new vents and large-scale details to show the means of fixing the rear extension to the main building, the alterations are considered to be acceptable and would not harm the special interest of the protected building or the character of the surrounding area. The scheme therefore complies with policies GP4, GP5 and GP8 in this respect.

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.

No car parking spaces are provided in the application, however in central locations such as this, within the Main Centre and with good access to facilities and public transport, the provision of parking is not a requirement. The proposal would therefore be acceptable under Policy IP7 (Private and Communal Car Parking). There is an existing outbuilding to the rear of the site that will be retained and would be suitable to provide sufficient level of covered cycle storage for the whole of the site.

Failing that sufficient space exists within the site to locate additional cycle parking if required.

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: 27/11/2025

