

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: Convert and extend building/garage to form a dwelling with associated works.

LOCATION: Little Bay, La Route Du Braye, Vale.

APPLICANT: Mr C Wilson

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: 25/06/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/02/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd: 6161-02 B1 & B2

Application Ref: FULL/2025/0210

Property Ref: C008680000

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 use of the building as a dwelling as hereby approved the dormer window in the west facing elevation shall be fixed (i.e. non-openable) and shall be permanently glazed with obscure glass of a minimum industry standard privacy level 3. The window shall be retained as such in perpetuity.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

Expiry Date: This permission will cease to have effect on 24/06/2028 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/2025/0210
Property Ref: C008680000
Valid date: 18/02/2025
Location: Little Bay La Route Du Braye Vale Guernsey GY3 5PP
Proposal: Convert and extend building/garage to form a dwelling with associated works.

Applicant: Mr C Wilson

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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4. Prior to the first use of the building as a dwelling as hereby approved the dormer window in the west facing elevation shall be fixed (i.e. non-openable) and shall be

permanently glazed with obscure glass of a minimum industry standard privacy level
3. The window shall be retained as such in perpetuity.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a detached garage currently associated with the property Little Bay (formerly Eveleigh) a protected building situated to the southwest. Surrounding the site the area comprises residential properties of mixed building types and design in all directions.

The site is situated within a Main Centre Outer as designated in the Island Development Plan.

Relevant History:

FULL/2013/1409	Erect a garage with store on land adjacent to rear garden of dwelling and relocate fencing.	Granted 10/07/2013
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The proposal has also been the subject of pre-application discussions.

Existing Use(s):

Garage associated with an existing dwelling – residential use class 1

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:

Island Development Plan Policies:

MC2: Housing in Main Centres and Main Centre Outer Areas;

GP8: Design;

GP9: Sustainable Development;

GP13: Householder Development;

IP6: Transport infrastructure and supporting facilities;

Conclusion/Brief comment:

Planning permission is sought to convert and extend the existing garage to a one person dwelling. As part of the proposal, the following external alterations are proposed:

- Installation of dormer windows in the east and west elevations;
- The installation of patio doors in the east elevation;
- The installation of a door and windows all at ground floor level in the west elevation.

The main issues in considering this application are:

- Whether the principle of converting the garage to a residential dwelling is acceptable;
- The design and impact of the external alterations on the character and appearance of the surrounding area and on the setting of the adjacent protected building;
- The impact of the development on the amenity of people living in the area;
- Whether the development would result in a satisfactory living environment for the occupiers of the new residential unit;
- Impact on Highway Safety

These issues will be addressed in turn below.

The principle of converting the garage to a residential dwelling.

Planning permission was granted in 2013 to erect the building the subject of this application (ref: FULL/2013/1409). As part of that permission no conditions were imposed requiring the garage to be retained for car parking associated with the main dwelling 'Little Bay'.

The application site is situated within the Main Centre Outer Area as identified on the Island Development Plan Proposals Map. Within such areas Policy MC2: Housing in Main Centres and Main Centre Outer Areas; supports proposals for new residential development provided that the development is in accordance with other relevant policies of the IDP; and where able accommodates a variety of dwellings and a mixture of types.

By virtue of the form of development (conversion of an existing building) and the size of the site, it is considered that the site is unable to provide a mix of dwellings. The principle of residential development at this site is therefore acceptable, provided that the development accords with other relevant policies of the IDP, which is assessed in detail in the following sections of this report.

The design and impact of the external alterations on the character and appearance of the surrounding area and on the adjacent protected building

The proposed dormer windows and the ground floor fenestration are well designed and the materials to be used would be in-keeping with the design and appearance of the host building and the character and appearance of the surrounding area.

Given that the external alterations are limited, and the position and distance of the building in relation to the protected building, the proposal would not cause harm to the setting of the protected building in this instance.

The proposal in design terms is therefore considered to be acceptable and complies with the provisions of Policies GP5, GP8 and GP13 of the IDP.

The impact of the development on the amenity of people living in the area

The site is bounded by neighbouring residential properties to the north, east and west. Suitable boundary screening exists to prevent any overlooking from the proposed ground floor windows and patio doors. Views from the proposed dormer window to the east would be towards the blank gable of the neighbouring property in this direction and given the position of the neighbouring dwelling and its 1.5 storey height, the proposal would not cause any undue harm with regard to overlooking. With regard to the dormer window in the west facing elevation, views from this would be towards the garden area of Little Bay in this direction and given that a separation distance of only circa 5m would remain, concerns are raised with regard to overlooking. However, given that this is a secondary window to the bedroom that it serves and is not required to be openable for a means of an escape to satisfy building regulations, to prevent overlooking it would be both reasonable and justifiable to ensure that this window is fixed and obscure glazed (controlled by condition).

Considering the above, the proposal complies with the provisions of Policy GP8 in this respect

Whether the development would result in a satisfactory living environment for the occupiers of the new residential unit,

When considering the creation of new residential dwellings, the health and well-being of the occupiers of the development requires consideration as set out in part (d) of Policy GP8 and as explained in more detail in Annex I (Amenities). The objective to build at high densities is to be balanced with, but not override, the need to create acceptable living environments. Although there are no rigid standards for amenity provision, the factors to be considered include internal space provision, privacy, aspect/outlook, access to external open space and daylight/sunlight.

Paragraph I.9 of the IDP refers to Guernsey Technical Standard G7, setting out practical guidance of the Building (Guernsey) Regulations 2012 which sets out

minimum standards for accommodation with regards to layout, size and arrangement of habitable rooms in certain types of development. The IDP confirms that the intention of the habitable room technical standard is not to encourage smaller dwellings but to set minimum standards, and the Authority would normally expect new development to demonstrate that those minimum space standards are substantially exceeded to provide adequate amenities.

In addition to Guernsey Technical Standards, although not specific to Guernsey, The Department for Communities & Local Government document – Technical housing standards, represents current best practice in England and should be considered when developing new housing in Guernsey under the Policies of the IDP.

The proposal is to create single bedroom single occupancy unit. Although the accommodation would be limited, the floorspace proposed exceeds the Guernsey Technical Standards for a one person one bedroom dwelling and would comply with the national space standards for best practice in England as referred to above. In terms of floorspace, the proposal would therefore provide a satisfactory living environment and a refusal based on the size of the accommodation proposed would not be justifiable.

Although no south facing windows are proposed and the windows in the east and west elevations would provide natural light internally into the accommodation. An outlook from all of the ground floor windows and the first floor dormer window in the east elevation will also be provided and overall an acceptable living environment would be provided.

Paragraph I.14 of the IDP states that: *“Access, including visual access, to external space, whether private, communal or public, is important for the well-being of all occupants of buildings. The value of external open space becomes increasingly important in higher density development. The Authority expects therefore, that all development should have safe and convenient access to external open space. However, this does not necessarily need to take the form of a defined, private garden area. Forms of external open amenities space include:*

- *a private garden;*
- *a balcony;*
- *a roof terrace;*
- *a communal garden area;*
- *a play area;*
- *formal or informal public or communal space, such as a courtyard, square, park or beach that is within a reasonable walking or cycling distance.”*

A small amenity area is proposed to be provided in the form of a patio and garden area surrounding the building for the accommodation. In addition, the property is situated within a Main Centre Outer Area and is close to other recreation areas. It is considered that the amount and quality of private amenity space provided for this one person one bedroom unit in this particular instance is acceptable.

Based on the above, given the location of the unit in a relatively densely populated area, on balance it is considered that the proposal makes an effective and efficient use of land and any refusal based on a substandard living environment would be unreasonable in this instance.

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.

Impact on Highway Safety

Within the Main Centre Outer Areas car parking provision for the creation of housing comprising three habitable rooms or less the SPG requires car parking provision to be assessed on the individual merits of the case. In this instance a single car parking space has been provided for the proposed unit which is acceptable in this instance. Covered cycle storage could be provided for within the amenity space proposed. The proposal would therefore not cause a detriment to highway safety and complies with the provisions of policies IP6 and IP7.

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.

The application is acceptable in relation to the above policies and other material planning considerations.

Recommendation:

Grant with Conditions



Date: 24/06/2025