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: Subdivide existing 2nd floor flat to create 2 flats (Use Class 2) and associated works.

LOCATION: Longstore House, Le Bouet, St. Peter Port.

APPLICANT: The CI Co-Operaive Society 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: 16/06/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/05/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton Architects. 02.13

Application Ref: FULL/2025/0809

Property Ref: A106960000

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 revised Flat 1, the south facing kitchen window serving that flat shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent) and shall fixed shut as indicated on the application drawings. The obscure and fixed window shall thereafter be retained at all times.

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 15/06/2028 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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2025/0809
Property Ref:	A106960000
Valid date:	15/05/2025
Location:	Longstore House Le Bouet St. Peter Port Guernsey GY1 2BA
Proposal:	Subdivide existing 2nd floor flat to create 2 flats (Use Class 2) and associated works.
Applicant:	The CI Co-Operaive Society Ltd

RECOMMENDATION - Grant: Planning Permission with Conditions:

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Pilkington scale (or equivalent) and shall fixed shut as indicated on the application drawings. The obscure and fixed window shall thereafter be retained at all times.

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OFFICER'S REPORT

Site Description:

The Longstore House building is situated on the corner of Le Bouet and St George's Esplanade. There is on-street parking to the front/east and parking across the road to the north in Le Bouet. The building is three storeys in height and has been broken down in to a number of different elements with a mixture of elevational treatments (render and stonework). Shop display windows exist in the St George's Esplanade façade at ground floor level whilst the shop entrance is from Le Bouet. There are a variety of uses in the vicinity of the application site including retail and residential uses.

The site is located in a Main Centre Outer Area, Conservation Area and area at risk of flooding as designated in the Island Development Plan.

Relevant History:

FULL/2025/0658 – Change of Use of part of 1st floor offices (ancillary to ground floor retail use) to 2 flats (Use Class 2) and associated works. Relocate plant equipment (first floor, south elevation) – under consideration

FULL/2025/0695 - Change of use of part of ground floor from retail to a takeaway (Use Class 12) and installation of extract ventilation system – under consideration

FULL/2025/0789 – Demolish 2nd floor bay window to east elevation. Install rooflight to west elevation, external insulation render system and alterations to fenestration – under consideration

Existing Use(s):

Retail (with ancillary office space)
Flats

Brief Description of Development:

The application relates to the subdivision of an existing flat into two flats at second floor level at Longstore. The existing flat comprises three bedrooms a kitchen/dining

room, separate lounge and a bathroom. As proposed the space would be almost entirely reconfigured to provide a one bedroom flat with open plan kitchen/lounge and bathroom and then a second flat accessed from the external roof terrace also containing open plan living space, bathroom and one bedroom. Alterations to fenestration is also proposed, to enlarge a second floor west elevation window serving proposed flat one and to fix shut the south facing kitchen window also associated with this unit.

The submission has been accompanied by a supporting letter outlining that the existing flat lends itself to subdivision and that there is a need/demand for one-bedroom units representing efficient and effective use of the existing building. The scheme also seeks to address Policy GP9.

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

MC2: Housing in Main Centres and Main Centre Outer Areas
GP4: Conservation Areas
GP8: Design
GP9: Sustainable Development
IP6: Transport infrastructure and support facilities

Representations:

None.

Consultations:

None.

Summary of Issues:

The key issues in this case relate to the health, well-being and amenities of future occupiers and the impact of external changes on the character and appearance of the Conservation Area.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

The purposes of the Land Planning and Development (Guernsey) Law, 2005, are to protect and enhance, and to facilitate the sustainable development of, the physical environment of Guernsey.

Section 38 of the Law explains the general functions of authorities in respect of conservation areas. This states that:

> In the exercise, with respect to any building or other land in a conservation area, of any powers under this Law or any other enactment, special attention shall be paid to the desirability of preserving and enhancing the character and appearance of that area.

In respect of these statutory duties, the word 'preserve' is taken in its ordinary meaning as set out in Chamber's dictionary, which is 'to keep safe from harm or loss'.

The purposes of the Law are reflected in the Island Development Plan, the principal aim of which is to help maintain and create a socially inclusive, healthy and economically strong Island, while balancing these objectives with the protection and enhancement of Guernsey's built and natural environment and the need to use land wisely. Relevant policies will be addressed below in assessing the key issues.

Section 13 to Part IV of The Land Planning and Development (General Provisions) Ordinance, 2007, sets out a number of general material considerations, the following of which are considered to be relevant in this instance:

> (b) the character and quality of the natural and built environment which is likely to be created by the development,
> (c) the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used,
> (d) the likely effect of the development on the character and amenity of the locality in question,

Policy MC2 provides support for housing development in Main Centre/Main Centre Outer Areas subject to all other relevant policies having been met and with the aim of providing a variety of dwellings (mix and type).

The scheme relates to the subdivision of an existing three bedroom flat to create two, one bedroom units. At present the building provides a mix of unit sizes however, the SSHI currently indicates that there is particular demand for one bedroom units of accommodation and the subdivision would make more efficient and effective use of the accommodation (GP8). The scheme therefore complies with this aspect of MC2. It should be noted however, that the objective to build at high densities must be balanced against, and will not override, the need to create acceptable living environments.

The case is assessed against all other relevant policies of the IDP in the following sections of this report.

Conservation Area

The external changes in this case are minimal and represent a good standard of design that respects the local built environment and will not have a detrimental impact on the character and appearance of the Conservation Area.

Health and well-being

Policy GP8 however requires that the units created consider the health and well-being of the occupiers by means of providing adequate daylight, sunlight and private/communal open space, and directs proposals to be considered against Annex 1 of the Plan: Amenities.

New developments should be planned and built to support the health and well-being of occupants and users and maintain appropriate amenities for those of neighbouring property.
The Annex sets out that building at higher densities brings challenges with respect to ensuring reasonable amenities are provided. There must be a balance between the most effective and efficient use of land and the requirement to ensure that proposed living and working conditions are acceptable and that the higher density Main Centres, in particular, remain attractive places to live and work.

Whether the proposal would provide a good living environment for future occupiers

- Aspect/Outlook
- Daylight/Sunlight

Annex I seeks opportunities for development occupiers to benefit from interesting or attractive outlook within the urban centre identified for example, as views over urban open spaces, public parks, landscape features or longer vistas over the townscape.

Annex I considers sunlight alongside daylight and their ability to enter a building will not, alone, be a determining factor when considering development proposals, providing that other amenities objectives are appropriately addressed. All new developments are encouraged to provide adequate levels of daylight and sunlight to all rooms, or at least principal rooms, gardens, balconies or communal external open spaces; these aspirations are qualified for sunlight by “where possible”. This reflects the constraints imposed by aspect relative to the movement of the sun, shading by existing development, and, in the case of converting existing buildings, its physical constraints.

In this case, accommodation is generally dual aspect in terms of offering daylight/sunlight to the accommodation and the units will have reasonable aspect and outlook as adjoining buildings are set away from common boundaries.

- Privacy

The Annex states that development will be expected to be designed with windows an adequate distance apart and / or suitably orientated to ensure that the level of privacy that could reasonably be expected to be enjoyed by an occupier is not adversely affected and that the use of obscure glazing alone to achieve privacy will not, normally, be considered acceptable.

The scheme generally seeks to utilise existing fenestration and so the matter of overlooking/mutual overlooking will remain largely unchanged from the current building arrangement/use. An element of overlooking could result from occupiers of flat 11 and associated visitors to the kitchen window of flat 1. This is noted on the drawings as being fixed but could also be required to be obscure glazed in order to provide light but to maintain privacy.

The roof terrace currently serves the three-bedroom flat and access would be maintained to this space directly from proposed flat 11. There does not however, appear to be any means by which this would be secured to prevent access from other occupiers in the building. Again, this does not appear to change from the existing situation in terms of the privacy of future occupiers of flat 11 or the effect of the use of the roof terrace on surrounding occupiers.

- internal space provision

Both flats exceed Part G of the Building Regulations and flat 1 would meet the DCLG space standards which represent best practice offering good internal space provision for future occupiers whilst flat 11 would fall only slightly short (7sqm).

- Access to external open space

The Annex states that the value of external open space becomes increasingly important in higher density development with all development having safe and convenient access to it.

Flat 11 will benefit from the roof terrace to the south. Flat 1 will not benefit from an area of external open space however, the site is located in a sustainable location close to amenities, public transport and areas of public open space.

- Accessibility and flexible accommodation

It is noted that all floors are currently served by a staircase only and which would not alter as a result of the development. This would likely preclude access for wheelchair users however, the staircase would offer access to the upper floors by ambulant

disabled. The existing building presents some barriers to accessibility for people of all ages and abilities. The layout of the units proposed could also be adapted at a later date to meet the changing needs of occupiers (e.g. grab rails in WCs/bathrooms, installation of hoists provided bedroom and bathroom ceilings are constructed in an appropriate manner and careful and appropriate siting of service controls) and in the balance would see an underused building brought back into use. The scheme therefore addresses GP8 criteria f. and g.

- Conclusions

The different amenity objectives must be balanced with the objective of seeking to make maximum use of urban developments. Although there are shortcomings in relation to access to external space provision/space to dry washing/accommodate a tumble drier in lieu of outside space overall, the development is considered to meet the aims of Annex I and GP8 of the Island Development Plan.

Impact on neighbour amenity

The development will not result in undue harm to the amenities of surrounding buildings in terms of privacy and there will be no changes that could increase the potential for overshadowing to occur. The use proposed is also compatible in this location.

Parking and cycle parking provision

The site will not be served by any off-road parking. The site is located in a highly sustainable location, within walking distance of local services and facilities. Although there is no specific cycle storage provided on the site in connection with the proposed development there will be publicly accessible cycle parking available in the vicinity of the site which would, on balance, satisfactory address this aim of the IDP.

Other matters

As the planning history notes, an application is under consideration for the change of use of part of the ground floor to a take-away with associated external extract system. The consideration of this separate application would not alter the conclusion that the change of use proposed in this case is acceptable and accords with policy. It will be necessary however, to ensure that the proposed extract system does not have an adverse impact on the amenities of existing and future occupiers of the building, taking into account the recommendation to grant permission for the subdivision of the second floor flat into two.

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness

of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 16/06/2025