

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 self catering unit (use class 8) to dwelling (use class 1).

LOCATION: La Hure, Rue Des Cambrees, Torteval.

APPLICANT: Mr & Mrs D Thompson

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: 08/09/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/07/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Application Block Layout Plan received 22/07/2025 and floor plans EA-01 1 of 2, 2 of 2

Application Ref: FULL/2025/1128

Property Ref: G003030000

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.

Expiry Date: This permission will cease to have effect on 07/09/2028 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/2025/1128
Property Ref: G003030000
Valid date: 22/07/2025
Location: La Hure Rue Des Cambrees Torteval Guernsey GY8 0LD
Proposal: Change of use from self catering unit (use class 8) to dwelling (use class 1).
Applicant: Mr & Mrs D Thompson

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.

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.

OFFICER'S REPORT

Brief Description of the site:

La Hure is a two-storey granite property situated to the west of Rue Des Cambrees, close to the junction with Rue de la Bellee and Rue Genette. Vehicular access is via a gateway to the north of the dwelling with gravel parking situated behind a high roadside wall. The southern end of the building is one and a half-storey with the first floor accommodation served by rooflights to the rear. Steps lead up to the front door and a pedestrian gate in the granite roadside wall leading to a small area of amenity space.

The application relates to the change of use of the one and a half-storey attached building to the south of La Hure from visitor accommodation (Use Class 8) to a dwelling (Use Class 1). The accommodation comprises a lounge/diner, separate kitchen and a bathroom on the ground floor with two bedrooms (one bedroom accessed via the other) at first floor level with an internal floorspace c. 160sqm. This accommodation, known as Pres de la Hure is shown to have a courtyard area with shed to the west with steps up into a garden that runs along the roadside boundary with Rue Genette to the south. One, detached off-road parking space is proposed, within the parking/garden area of La Hure itself and the existing attached granite built shed provides motorcycle and cycle storage for the proposed dwelling.

The submission has been accompanied by a supporting statement and photographs including a request for a minor departure from the IDP if necessary. The submission draws attention to the current temporary exemptions of the Land Planning and Development (Exemptions) Ordinance, 2023 which runs until 28/02/2026 for self-catering accommodation to be utilised as a dwelling. The submission notes that the applicant no longer wish to resume self-catering rentals for personal reasons and that to revert La Hure and Pres de la Hure to a single dwelling would result in a large, under occupied property whereas the proposed change of use would make more efficient and effective use of the property.

The submission highlights that both properties would have separate accesses (front and rear) and the proposed dwelling would have a private courtyard and garden. The existing internal, interconnecting door would be permanently infilled should the application be successful.

The site is located Outside of the Centres and within a Conservation Area and Agriculture Priority Area as designated in the Island Development Plan.

Relevant History:

Pre-application advice was sought in this case.

Existing Use(s):

01 dwellinghouse

08 non-serviced visitor accommodation

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:

OC1: Housing Outside of the Centres

OC8(C): Visitor Accommodation Outside of the Centres – Change of Use

GP4: Conservation Areas

GP8: Design

GP9: Sustainable Development

IP6: Transport infrastructure and support facilities

IP7: Private and Communal Car Parking

IP9: Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

Policy OC8(C) sets out that there is support for the change of use or redevelopment of existing visitor accommodation to another use where the establishment comprises a single dwellinghouse with less than 3 self-catering units within its domestic curtilage. The principle of the change of use proposed is therefore considered acceptable.

Paragraph 17.7.9 states that in order to ensure that the Island retains a sufficient level of accommodation to support the visitor economy, meet forecast demand and ensure a range of types of accommodation, there will be a need to resist the further loss of visitor accommodation establishments other than in exceptional circumstances or where operation of an establishment is not financially viable.

Paragraph 17.7.12 however, states that exceptions to this are small self-catering units or guest accommodation establishments that have been created within a dwelling or within the curtilage of a dwelling and where the entire site is capable of being converted back to a single dwelling. Support will be given to these proposals providing they accord with all the other relevant policies of the Island Development Plan. The intention of this policy is to prevent operators of small visitor

accommodation businesses from having to leave their home when the business ceases to operate.

Policy OC1 makes provision for new dwellings Outside of the Centres only where it is achieved through the subdivision of an existing dwelling (which this is not) or the conversion of an existing redundant building. The property has been used as a dwelling for a number of years, since the exemptions were introduced through the COVID-19 pandemic. This application therefore seeks planning permission to change the use of the building from self-catering accommodation (use class 8) to a residential dwelling-house (residential use class 1).

In this instance the unit the subject of this application is within the curtilage of an existing residential dwelling and the proposal would therefore comply with the spirit of Policy OC8(C) which clearly supports the loss of such small visitor accommodation by allowing it to revert to form part of the main dwelling. Although it is not proposed to revert the self-catering unit back to use within the main house and therefore the application, will in part deviate from Policy OC8(C) a minor departure from this aspect of the policy has been requested in writing. Given that the principle of the development is supported and the proposal is within the spirit/aims of Policy OC8(C) and would not set an unwanted precedent, it is considered that the requested minor departure to Policy OC8(C) is justified and accepted in this case.

The unit will offer a good standard of living accommodation, provides occupiers adequate sunlight and daylight and could be adapted in future through internal alteration or extension (subject to relevant permissions) in line with the aims of Policy GP8.

No external alterations are proposed and the character and appearance of the Conservation Area will not be adversely affected (GP4, GP8 and GP9). The change of use would not cause any undue harm on the amenities of occupiers of the nearby residential properties in terms of overlooking and loss of privacy in accordance with Policy GP8.

An off-road car parking space has been allocated to the unit which is accessed via an existing vehicle access point at La Hure satisfying Policy IP7.

Any traffic movements associated with the development would not cause harm to highway safety (IP9). The store which forms part of this building offers a place for the sheltered and secure storage of cycles offering occupiers the opportunity to travel by alternative modes of transport in line with the aims of IP6.

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.

For the reasons contained within this report it is recommended that the application be approved as a minor departure to Policy OC8(C).

Recommendation:
Grant with Conditions



Date: 01/09/2025

