

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: Erect three domes and a shed on terrace to south elevation.

LOCATION: The Duke Of Richmond Hotel, Cambridge Park Road, St. Peter Port.

APPLICANT: The Duke Of Richmond Hotel

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: 10/11/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 14/09/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Application Site Location Plan, Application Block Layout Plan, image of proposed shed, details of 12ft and 15ft domes & site layout drawing (all dated stamped received 14/09/22).

Application Ref: FULL/2022/1866

Property Ref: A111910000

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.Permission is granted for the erection and use of the domes and shed for a temporary period until 01/01/2023 only, after which the use shall cease and the domes and shed shall be dismantled and removed from the site within 10 days thereafter.

Reason - To clarify the terms of this permission, the domes and shed being unsuitable for permanent retention.

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 domes and shed hereby permitted shall not be used before 11:30 hours and after 22:30 hours each day.

Reason - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

Expiry Date: This permission will cease to have effect on 01/01/2023.

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/2022/1866
Property Ref: A111910000
Valid date: 14/09/2022
Location: The Duke Of Richmond Hotel Cambridge Park Road St. Peter
Port Guernsey
Proposal: Erect three domes and a shed on terrace to south elevation.
Applicant: The Duke Of Richmond Hotel

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. Permission is granted for the erection and use of the domes and shed for a temporary period until 01/01/2023 only, after which the use shall cease and the domes and shed shall be dismantled and removed from the site within 10 days thereafter.

Reason - To clarify the terms of this permission, the domes and shed being unsuitable for permanent retention.

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 domes and shed hereby permitted shall not be used before 11:30 hours and after 22:30 hours each day.

Reason - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

OFFICER'S REPORT

Brief Description of the site:

This application proposes the erection of 3no. dome structures and a timber shed on the Richmond Hotel sun terrace. This is an identical application to that approved in 2019, referred to below.

The application site is located in a Main Centre Inner Area and Conservation Area under the Island Development Plan.

Relevant History:

FULL/2021/2177 - Erect 3 domes and a shed on terrace to south (rear) elevation – Approved 09-11-2021 for a temporary period until 01-01-2022

FULL/2019/2096 - Erect three domes and a shed on terrace south elevation (Retrospective).
Approved 15-11-2019 for a temporary period until 01-01-2020

Existing Use(s):

Hotel – Serviced Visitor Accommodation Use Class 7

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:

GP4 – Conservation Areas

GP8 – Design

MC8 – Visitor Accommodation in Main Centres and Main Centre Outer Areas

Consultation:

Office of Environmental Health and Pollution Regulation – commented on the 2019 application:

Expressed concerns that the use of the domes and shed could give rise to noise nuisance and that information from the applicant is limited. It is understood that the domes are being advertised as available from noon until 10pm for drinks and light bites, for booking until 1st January and the shed is to be used by staff to assist them with serving food and drinks to the domes. A number of conditions are recommended in order to minimise the potential for noise nuisance:

- The domes and shed must not be used before 11:30 and after 22:30 each day
- The domes and shed must not be used after 1st January unless otherwise agreed in writing by the Authority

Conclusion/Brief comment:

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (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, subject to the permission being granted for a temporary period only and with limitations on hours of use as previously.

Recommendation:

Grant with Conditions



Date: 08 November 2022