

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 Hotel (Use Class 7) and Restaurant (Use Class 11) to a premises in Multiple Occupation (Use Class 6) with ancillary staff and managers accommodation

LOCATION: Wayside Cheer Hotel & Grandes Rocques Bistro & Bar, Les Grandes Rocques & Rue De La Saline, Castel.

APPLICANT: Garenne Property Limited

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: 14/02/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/12/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTech Freelance Architecture: GPL-22-1097-01D, -02D, -03C, -04C & -05C.

Application Ref: FULL/2022/2265

Property Ref: D018230000 + D01823A000 + D01803A000

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.No part of the change of use hereby approved shall commence until a scheme showing the provision to be made for the parking of cycles, under cover and secure, has been submitted to and agreed in writing by the Authority, and the agreed scheme has been fully implemented. The provision for cycles shall be retained at all times.

Reason - To encourage the use of bicycles as an alternative to the car.

5.No part of the change of use hereby approved shall commence until a scheme showing the provision to be made for electric vehicle charging points has been submitted to and agreed in writing by the Authority, and the agreed scheme has been fully implemented.

Reason - The proposed features are required to meet the requirements of Policy GP9. The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the development complies with policy.

6.Prior to the change of use of the main hotel building or the Chalet bedroom accommodation hereby approved, the areas identified as a communal kitchen and 'break out space' on Drawing No GPL-22-1097-01D and a TV/Lounge/Kitchenette on Drawing No GPL-22-1097-02D shall be fitted out as such in accordance with the Office for Environmental Health and Pollution Regulation's Standards for Housing in Multiple Occupation. Those areas shall thereafter be used only for purposes ancillary and incidental to the operation of the premises as a premises in multiple occupancy within Residential Use Class 6 of the Land Planning and Development (Use Classes) Ordinance, 2017, or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance, and shall not be used separately or for any

other purpose at any time.

Reason - To ensure the provision of adequate facilities and level of amenity for the occupants of the building.

7. Prior to the change of use of the former staff accommodation block as hereby approved, the kitchen facilities within that block and shown on Drawing No GPL-22-1097-01D shall be fully completed and made operational in accordance with the Office for Environmental Health and Pollution Regulation's Standards for Housing in Multiple Occupation.

Reason - To ensure the provision of adequate facilities and level of amenity for the occupants of the building.

8. The two flats located within the main Hotel building shall be occupied by members of staff/management employed at the site for purposes ancillary or incidental to the operation of the premises as a premises in multiple occupancy within Residential Use Class 6 of the Land Planning and Development (Use Classes) Ordinance, 2017, or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance, and shall not be used separately or for any other purpose at any time.

Reason - The separate use of the flats would require different policy considerations.

9. If the change of use of the former Grandes Rocques Bistro is implemented, the 'break out space' within that building, as shown on Drawing Nos GPL-22-1097-01D and GPL-22-1097-02D, shall be used only for purposes ancillary and incidental to the operation of the former Hotel premises as a premises in multiple occupancy within Residential Use Class 6 of the Land Planning and Development (Use Classes) Ordinance, 2017, or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance, and shall not be used separately or for any other purpose at any time.

Reason - To ensure the premises are used only for the purposes authorised under this permission.

10. The number of bedrooms associated with the premises of multiple occupancy shall be retained as shown on the plans hereby approved and the occupation of the premises as a premises in multiple occupancy shall not exceed 40 persons at any one time (excluding occupants of the staff/management flats).

Reason - To control the use in the interests of amenity.

Expiry Date: This permission will cease to have effect on 13/02/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

In respect of Condition 4, it is advised that the cycle storage should make provision for 13 cycles.

In respect of Condition 9, it is advised that, whilst the change of use of the Grandes Rocques Bistro is approved as part of the planning permission hereby granted, that change of use is not a requirement of the planning permission.

The grant of planning permission does not override the need to comply with any other relevant legislation, and your attention is drawn to the forthcoming legislation in respect of premises of multiple accommodation which will be administered by the Office for Environmental Health and Pollution Regulation.

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/2022/2265
Property Ref: D018230000 + D01823A000 + D01803A000
Valid date: 07/12/2022
Location: Wayside Cheer Hotel & Grandes Rocques Bistro & Bar Les
Grandes Rocques & Rue De La Saline Castel Guernsey
GY5 7FX
Proposal: Change of use of Hotel (Use Class 7) and Restaurant (Use Class
11) to a premises in Multiple Occupation (Use Class 6) with
ancillary staff and managers accommodation
Applicant: Garenne Property Limited

RECOMMENDATION - Grant: Planning Permission with Conditions:

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Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

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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).

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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.

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Reason - To ensure the provision of adequate facilities and level of amenity for the occupants of the building.

7. Prior to the change of use of the former staff accommodation block as hereby approved, the kitchen facilities within that block and shown on Drawing No GPL-22-1097-01D shall be fully completed and made operational in accordance with the Office for Environmental Health and Pollution Regulation's Standards for Housing in Multiple Occupation.

Reason - To ensure the provision of adequate facilities and level of amenity for the occupants of the building.

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Reason - The separate use of the flats would require different policy considerations.

9. If the change of use of the former Grandes Rocques Bistro is implemented, the 'break out space' within that building, as shown on Drawing Nos GPL-22-1097-01D and GPL-22-1097-02D, shall be used only for purposes ancillary and incidental to the operation of the former Hotel premises as a premises in multiple occupancy within Residential Use Class 6 of the Land Planning and Development (Use Classes) Ordinance, 2017, or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance, and shall not be used separately or for any other purpose at any time.

Reason - To ensure the premises are used only for the purposes authorised under this permission.

10. The number of bedrooms associated with the premises of multiple occupancy shall be retained as shown on the plans hereby approved and the occupation of the premises as a premises in multiple occupancy shall not exceed 40 persons at any one time (excluding occupants of the staff/management flats).

Reason - To control the use in the interests of amenity.

INFORMATIVES

In respect of Condition 4, it is advised that the cycle storage should make provision for 13 cycles.

In respect of Condition 9, it is advised that, whilst the change of use of the Grandes Rocques Bistro is approved as part of the planning permission hereby granted, that change of use is not a requirement of the planning permission.

The grant of planning permission does not override the need to comply with any other relevant legislation, and your attention is drawn to the forthcoming legislation in respect of premises of multiple accommodation which will be administered by the Office for Environmental Health and Pollution Regulation.

OFFICER'S REPORT

Site Description:

The application site comprises the Wayside Cheer hotel complex, which includes the main hotel building (comprising 22 ensuite rooms) with ancillary bar/restaurant/function room and two ground floor staff flats (1no 1 bed and 1no 3 bed) to the east, a detached bedroom block to the south-west (referred to as the

Chalet block, comprising 9 ensuite rooms) and a staff block to the north-west (comprising 8 rooms). The application site also includes the former Wayside Bistro to the west. The two sites fall under separate ownerships.

The site ownership includes a parking area on the opposite side of Les Grandes Rocques road to the east, including marked spaces for 17 cars and a smaller space which can be used for motorcycles/scooters. There is also parking for 3 vehicles forward of the building, facing on to Les Grandes Rocques road and a further 2 spaces to the west of the building, accessed from between the staff block and the former Bistro.

The site is located Outside of the Centres in the Island Development Plan.

Relevant History:

None relevant.

Existing Use(s):

Wayside Cheer:	Visitor economy use class 7 – Serviced visitor accommodation with ancillary bar/restaurant/function room
Grandes Rocques Bistro:	Retail Use Class 11

Brief Description of Development:

Permission is sought for a change of use of the whole site to form a premises in multiple occupation (Use Class 6).

The submitted information states that the premises would have a maximum occupancy of 40, over 34 bedrooms. This provision does not however tally with the submitted plans, which indicate the bedroom provision would be retained as existing, with the exception of the staff accommodation block where two rooms would be combined and used to provide kitchen facilities. This would result in an overall provision of 37 bedrooms. The majority of the rooms would be of sufficient size to allow for double occupancy, however the submitted information states it is not anticipated that the rooms would be used in that manner.

The two existing staff flats within the main building would be retained to provide accommodation for on site staff/management. The bar/restaurant/function space at ground floor level and the lounge/TV room at first floor within the main building would be used as “break out space” and the kitchen repurposed for communal purposes. The Grandes Rocques Bistro would provide further “break out space”.

In support of the application as initially submitted the following points were made in the covering letter:

- The applicant purchased the premises in 2007 and have spent over 15 years in the tourism industry;
- Substantial investment has been made into the premises, particularly focussing on the bar and restaurant offerings;
- The hotel has a 60+ guest capacity, the HMO would have a maximum capacity of 40 occupants over 34 rooms;
- The HMO would require a combination of one on-call manager and a full outside management team; Two staff flats are retained for any on site needs;
- All existing bar/retail uses would be removed;
- There are 20 parking spaces, 4+ motorcycle spaces and 15+ covered cycle spaces in the rear courtyard;
- The submitted information demonstrates that:
 - o It would not be possible to return a reasonable operating profit;
 - o The establishment has been actively and appropriately marketed for sale and lease for a period of 24 consecutive months and no appropriate offer has been received, and began before the pandemic;

The following documents were also submitted pertaining to the viability of the premises:

- Alpha Estate Agents letter – Instructed to market premises in 2015 for sale or lease for over 24 months, on a “low key” basis and across multiple jurisdictions, and then again in 2019/2020, with no approaches or expressions of interest;
- Applicant letter, including financial summary of last 10 years operational accounts;
- Letter from engineering company setting out requirement for staff housing.

Following deferral, the following additional reports have been provided:

- Costs Report including Planned Maintenance Schedule prepared by Jonathan Maides, June 2023 – setting out conditions, standards and costs;
- A Borrowing/Finance commercial lending bank letter from Lloyds;
- Wayside Cheer Hotel accounts 2010-2023;
- Letter from the owner regarding sale/lease of premises;
- Structural Engineers Report.

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

OC1	Housing Outside of the Centres
OC4	Retail Outside of the Centres
OC8(C)	Visitor Accommodation Outside of the Centres – Change of Use
GP8	Design
GP9	Sustainable Development
GP16(A)	Conversion of Redundant Buildings
IP6	Transport Infrastructure and Support Facilities
IP7	Private and Communal Car Parking

Visitor Accommodation Supplementary Planning Guidance
Parking Standards and Traffic Impact Assessment Supplementary Planning Guidance

Representations:

None.

Consultations:

Economic Development (Tourism Quality Development) comment as follows:

The Wayside Cheer Hotel is a three-star hotel providing accommodation for a maximum of 61 guests, across 28 en suite rooms and a suite. The hotel is positioned as mid-range accommodation, is well known and in a good coastal location. The site, on the west coast, also comprises a restaurant and bar, retaining a Guernsey Food Award silver food award for the past 7 years.

The impact of the loss to the visitor accommodation bedstock (61 beds) is not unsubstantial, but the Hotel would need significant upgrades made to make it viable.

On the basis of the information that the applicant has supplied, the applicant does appear to have demonstrated that they meet the three criteria set out in the Island Development Plan to allow for Change of Use for visitor accommodation. Therefore, while Marketing & Tourism would have preferred this hotel and restaurant to remain within the visitor accommodation sector, it will not object to this application.

The Office for Environmental Health and Pollution Regulation commented on the application initially submitted as follows:

Due to the lack of detailed information regarding the shared and private kitchen facilities and access to those facilities I recommend this application is refused.

Following receipt of revised plans, the Office for Environmental Health and Pollution Regulation comment as follows:

It should be noted that the States of Guernsey passed the Housing (Standards and Regulation) (Enabling Provisions) Law in 2021. The purpose of this law is to enable the drafting of legislation which will improve rental property housing standards, including houses in multiple occupation. The plans have been amended to provide room sizes and detail to the proposed cooking facilities, while I am unable to give definitive advice to the applicant in relation to future legal requirements, the revisions confirm there will be sufficient facilities and space for the proposed number of residents.

Summary of Issues:

Loss of retail;
Loss of visitor accommodation;
Provision of residential accommodation;
Amenity of the proposed units;
Provision of parking and cycle storage;
Impact on neighbouring amenity.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

Principle of development – loss of restaurant/bar within Grandes Rocques Bistro

Policy OC4 supports change of use away from retail where the proposal accords with all other relevant planning policies.

Principle of development – loss of visitor accommodation within Wayside Cheer

According to the survey plans, and as set out within the comments from Economic Development, the premises comprises 28 guest bedrooms and 1 suite located within the main building and the Chalet bedroom block to the south-west. The main building also contains associated facilities, including two staff flats, a bar, restaurant and function room. An 8 bedroom staff block is located to the west of the main building.

The hotel was acquired by the applicant in 2007. The submitted accounts indicate a consistent expenditure in respect of repairs and maintenance every year pre-pandemic, with that expenditure continuing at a reduced level during and immediately post-pandemic, before increasing again in 2021. The supporting information notes that this expenditure has been primarily focused on the bar and restaurant elements of the business, as the element generating the greatest turnover.

The Hotel benefits from a boarding permit at a 3 star grading until 31 March 2024, however the Hotel website states that the business is closed for room bookings, as of 1st October 2023, although the bar remains open every evening.

Policy OC8(C) sets out specific policy criteria which must be met to allow a change of use away from visitor accommodation, each of which is addressed below.

a) Demonstration that it is not technically feasible to refurbish, extend, alter or redevelop or otherwise adapt the establishment to meet the standard for the type of visitor accommodation (as identified by any relevant States of Guernsey strategy or visitor accommodation) relating to the establishment; or

No information has been submitted to demonstrate that the establishment does not meet the standard for the type of visitor accommodation relating to the establishment, or that, if it did not meet that standard, where the short comings would be. In fact the establishment currently holds a boarding permit with a 3 star grading, valid until March 2024.

A Costs Report, including Planned Maintenance Schedule, and a Structural Report have been submitted in support of this application and that information, together with commentary provided from Economic Development, however indicates that there is a need to upgrade the premises and the nature of the upgrades are such which would be likely to impact on not only the grading of the establishment, but the integrity of the building (eg water ingress resulting from poorly laid or aged roof coverings). The works would therefore be required regardless of the grading of the premises.

There is however no evidence that the building could not be upgraded to enable the establishment to continue trading, or to maintain its current grading, and the application does not contend that this is the case. It must therefore be concluded that it is technically feasible to refurbish, extend, alter, redevelop or otherwise adapt the establishment to meet the standard for the type of visitor accommodation provided and Criterion a) is not met.

b) Where it is technically feasible to refurbish, extend, alter, redevelop or otherwise adapt the establishment to meet the standard for the type of visitor accommodation relating to the establishment:

i) It is not financially viable to undertake the required works and return a reasonable operational profit; and

In determining appeals in relation to similar proposals (planning appeal refs PAP/001/2014 for the Manor Hotel & PAP/004/2017 for Le Chalet Hotel), the appeals tribunal considered that an adequate basis for assessing the capacity of an establishment to achieve the upgrades necessary and return a reasonable profit would be the premise that the net income from room lettings, together with income from ancillary facilities, would need to be sufficient to support the loan necessary to undertake the work of refurbishment and upgrading, a direction reflected in the Supplementary Planning Guidance for Change of Use of Visitor Accommodation.

Following deferral, a number of documents have been submitted to demonstrate this point, including:

- Costs Report including Planned Maintenance Schedule prepared by Jonathan Maides, June 2023 – setting out the condition of the building, standard of the accommodation and costs involved in refurbishment;
- A Borrowing/Finance commercial lending bank letter from Lloyds demonstrating the requirements which would be in place to service a loan to meet the costs set out in the Costs Report; and
- Wayside Cheer Hotel accounts 2010-2023.

The Planned Maintenance Schedule has been prepared by a Chartered Member of the Royal Institution of Chartered Surveyors, and is stated to be focussed on ongoing maintenance of the fabric of the building that, if not carried out, would have a detrimental effect on the property and the ability of the property to function as a 3 star hotel. The author notes that a pragmatic approach has been taken to the scheme of maintenance, and replacement of features is only recommended where that feature is beyond repair. The author notes that all of the identified works will need to be completed within the next 5 years, although it is recommended that the majority occur within the first year. The Schedule is generally focussed on repair or replacement of roof coverings, repair to external walls and replacement of windows/doors, and the works put forward appear reasonable in the context of the age and condition of the existing building. The Schedule also includes upgrade of bathrooms, an item noted to be required to maintain the current grading by Economic Development, and kitchens, primarily to meet OEHPR standards. Replacement of the hot water system within the Hotel and of various elements of the heating systems throughout the buildings are also identified. Overall, the Schedule appears to comprise a reasonable assessment of the works required to upgrade the building.

Having ascertained the cost of works required to upgrade the premises, the letter from Lloyds demonstrates the requirements to service a loan to cover the identified cost of works. Whilst evidence has not been provided from other institutions to demonstrate that a preferential agreement could not be secured, it is acknowledged that, in the current climate, lenders are cautious in respect of providing financing for the hotel sector, given the reliance of that sector on outside factors, and, even were another institution willing to offer funding, it is likely that similar parameters would apply.

Review of the submitted Hotel accounts is sufficient to conclude that the hotel does not presently, and has not historically (ie pre-pandemic), returned sufficient profit to cover debt interest costs arising from the size of loan which would be required to enable the identified refurbishments. Whilst there are elements of the submitted information which could warrant further scrutiny or benefit from further clarification, these elements are not of such significance as to change the fundamental conclusion that it would not be financially viable to undertake the required works.

ii) The establishment has been actively and appropriately marketed for sale and for lease for a period of 24 consecutive months and an appropriate offer has not been made.

Confirmation of marketing has been received from a local estate agent. That agent confirms that the premises have been marketed following best practice marketing methods by that agent and through their third party contacts since 2015, for a period of more than 24 consecutive months, before the pandemic, with further marketing occurring subsequently. The agent confirms that no viable interest was received.

In light of the above, the information provided with the application is considered sufficient to demonstrate that works are required to upgrade the establishment to continue to meet the standard for the type of visitor accommodation, and that it would not be financially viable to undertake the required works and return a reasonable operational profit, and that the establishment has been actively and appropriately marketed for sale and lease for a period of more than 24 consecutive months and an appropriate offer has not been made. The relevant requirements of Policy OC8(C) have therefore been met in this case and the principle of change of use of the hotel to an alternative non-visitor accommodation use can be accepted.

Principle of development – change of use to premises in multiple occupation

Policy OC1 allows for a change of use to residential where the requirements of Policy GP16(A) are addressed. The proposal would also need to meet the requirements of Policy GP8, relating to design, and GP9, relating to sustainable development. These policies are addressed below.

Taking into account the points set out above, it is accepted that both the former Bistro and Hotel buildings are redundant of their current or last known use.

The proposal is for the creation of a residential use.

A Structural Appraisal Report has been prepared by Plan B, Chartered Building Consultancy. That report confirms that the Hotel and outbuildings appear to be in good structural condition, and this can also be inferred from the Planned Maintenance Programme prepared by Maides & Partners Chartered Surveyors. The Planned Maintenance Programme identifies a number of works which would be required to upgrade the building for ongoing hospitality use and, given the nature of the works, these would also need to be undertaken to enable conversion for residential use. These works are identified on the revised plans submitted and include recovering of the majority of the roofs, re-rendering of the top floor of the main building (and possibly works to the timber frame depending on moisture ingress), and the replacement of the majority of the windows. These works would not amount to extensive alteration for the purposes of Policy GP16. No extension is proposed as part of this application.

There are no protected buildings located within the vicinity of this site, and the physical alterations proposed to the building and site area are limited to refurbishment and/or replacement of existing fabric, therefore there would be no impacts on the character or appearance of the area or landscape.

The application site is bounded by residential properties in all directions. The change of use from a hotel and restaurant to a premises in multiple occupation would not however, in itself, give rise to any concerns in respect of neighbour amenity.

The proposals would therefore comply with Policies GP8 a), b), c), and the second part of d), GP9 b) and GP16(A).

Other matters

Policy GP8d) requires consideration to be given to the health and well-being of occupiers of the accommodation. The Office for Environmental Health and Pollution Regulation initially raised concerns regarding the provision of facilities for the accommodation provided. The agent for the application put forward a suggested condition, requiring details demonstrating compliance with the OEHPR standards prior to occupation. As such compliance would require significant changes to the plans in this case, and, in relation to some elements, as it was not evident how such compliance could be achieved, it was not however considered reasonable to attach such a condition.

Following deferral the proposed plans have however been amended to provide additional facilities within the main building and the former staff accommodation block, which would address the requirements of the OEHPR and the decision can be conditioned to ensure implementation of these elements prior to the change of use being implemented. The Chalet block, to the west of the swimming pool, remains ensuite bedrooms only, with no supporting facilities, and no obvious way to provide enclosed access to such facilities. The OEHPR observe that the revised proposals would be sufficient to meet current requirements in respect of this type of accommodation and there would therefore be no justification under planning law to object to this element of the proposal. That Service however note that new legislation is imminent in respect of this type of accommodation and the applicant should be aware that the accommodation proposed within the Chalet building would be unlikely to meet that legislation once adopted, irrespective of any planning permission granted.

On balance, taking into account the limitation on occupancy numbers proposed under this application, the comments made by the OEHPR, and the substantial communal space provision within the main hotel building, the amenity of the proposed accommodation would be satisfactory in respect of Policy GP8. It is however recommended that the decision be conditioned to ensure that the communal space within the main building is provided prior to the change of use being implemented, and that that provision is not put to any separate use at any time. Policy would support the change of use of the Grandes Rocques Bistro to form

additional communal space and, should that building be used for such purposes, the use should be subject to the same controls as the communal space within the main building. Given the extent of provision within the main building, the additional provision within the Bistro would not however be essential to the proposal and it is not therefore necessary to make the change of use of the Hotel buildings contingent on the change of use of the Bistro. To ensure that the occupancy of the premises remains at a level appropriate to the surrounding area, support facilities and infrastructure, it is recommended that the decision be conditioned to limit bedroom provision to that proposed under this application and the overall occupancy of the site.

Whilst not all of the proposed accommodation may be fully accessible, this cannot be expected in the conversion of an existing building and the proposal does include a mixture of ground and upper floor sleeping and recreational facilities, ensuring there is provision for accessible accommodation within the premises, in accordance with GP8f).

Given the limited scope and nature of the proposed physical changes, it would not be reasonable to require a landscaping scheme in this instance.

In respect of sustainable development, the submitted information states that the conversion will give due consideration to internal upgrades to meet Building Regulations in respect of energy and water conservation. In addition electric vehicle charge points are to be provided, although, as with the cycle storage below, these points are not demonstrated on the final plans. This matter can be managed by condition.

Following deferral, it has been confirmed that car and motorcycle parking would remain as existing, and as set out in the Site Description above, namely a provision of 22 spaces. In support of the application it is also noted that there is additional public parking within the immediate surrounding area. Whilst the General Parking Standards set out within the Parking Standards and Traffic Impact Assessment Supplementary Planning Guidance do not apply Outside of the Centres, it is noted that the provision for Hostels and Other Residential Establishments in that document within the Main Centre Outer Areas is a maximum of 1 space per 3 occupants. In this case there would be 37 rooms and, whilst a high proportion of those rooms would be capable of double occupancy, the maximum occupancy proposed is 40. The proposed parking provision would exceed that recommended within the Main Centre Outer Areas for 40 occupants. In light of this, and taking into account the close proximity to the Cobo Local Centre, together with good bus routes and the level of public parking in the area, the proposed parking is considered appropriate to support the development.

Whilst the covering letter states that secure, covered and enclosed cycle storage is shown on the amended plans, this is not the case. Such storage was shown on Drawing No GPL-22-1097-05D submitted 10/07/2023, however was omitted when that drawing was superseded by GPL-22-1097-05C submitted 29/11/2023. The

standards for cycle storage set out within the Parking Standards and Traffic Impact Assessment Supplementary Planning Guidance do apply Outside of the Centres, however do not set specific standards for premises of multiple occupation. Extrapolating from the standards set out within that guidance, it would however be reasonable to expect storage at a rate of c1 space per 3 bedrooms, which would equate to approximately 13 spaces in this case. The storage which had previously been indicated was located adjacent to the north elevation of the main Hotel building, accessed between the former Bistro and staff accommodation block. In this location the storage would not have had any adverse impacts, however, as shown, would not have had sufficient space for the provision of the number of cycles indicated above. There is however space to provide this level of storage on site, and the provision can therefore be managed by condition. Whilst a larger structure for cycle storage in the previously indicated location might reduce the availability of parking spaces in that location, this reduction would not impact on the conclusion reached above in respect of parking provision.

Conclusion

On balance, taking into account the assessment above, it is considered that the proposal accords with the purpose of the Law, material considerations and relevant planning policies. Consequently it is recommended that the application be approved, subject to the conditions outlined above.

Date: 05/02/2024

