

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: Install glazed balustrade to existing wall and alterations to fenestration to west (front/roadside) elevation.

LOCATION: The Rockmount, Cobo Coast Road, Castel.

APPLICANT: Randalls Of Guernsey

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: 17/11/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/08/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DLM 1237- 8, 9, 10A

Application Ref: FULL/2023/1409

Property Ref: D015890000

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.Notwithstanding the information submitted, within 2 months of the new windows being installed to the front (west) of the building, the new sections of wall below the windows shall be made good to match as closely as possible to match the existing façade in accordance with the approved details on drawing no. 1237_9.

Reason - In the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 16/11/2026 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/2023/1409
Property Ref: D015890000
Valid date: 08/08/2023
Location: The Rockmount Cobo Coast Road Castel Guernsey GY5 7HB
Proposal: Install glazed balustrade to existing wall and alterations to fenestration to west (front/roadside) elevation.

Applicant: Randalls Of Guernsey

RECOMMENDATION - Grant: Planning Permission with Conditions:

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Reason - In the interests of visual amenity.

OFFICER'S REPORT

Brief Description of the site:

The application site, known as the Rockmount restaurant and bar, is located to the east of Cobo Coast Road. The site is situated in a Local Centre as designated in the Island Development Plan.

The front boundary of the site is defined by a low rendered wall which provides character to the site and surrounding area. Outside seating is provided between the roadside wall and the façade of the building, which also wraps around the north of the building. The building is served by large openings on the ground floor to optimise the views out to sea.

Planning permission is sought to install a glazed balustrade to the roadside wall and make alterations to the fenestration to the front (west) of the building. The balustrade will be comprised of 2.5m long glass panels, fixed within a vertical channel cut along the centre line of the wall. The panels will be bonded by resin and will not be mechanically fixed. It is also proposed to remove the existing bi-fold doors, install windows and block up the lower section of the respective openings.

The application was deferred to clarify the proposal and to understand the rationale behind the development, with particular emphasis on the roadside wall.

The agent has provided additional information and explanation with regards to the justification for the design. It is noted that the visible height of the glass above the wall will be approximately 1m high. The height of the glass panels (together with its fixing and overall design) has been carefully considered by the applicant and agent. Incorporating a 1.5m glass panel above the FFL is required, whereas a 1.2m high balustrade would affect the sight line of the horizon when seated outside. A height of 1.5m above FFL also adds protection to the windows, and shelters customers sitting outside from the wind. The existing bi-fold doors are heavily corroded.

Relevant History:

None germane to this application.

Existing Use(s):

Residential

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:**

OC4: Retail Outside of the Centres

GP1 Landscape Character and Open Land

GP8 Design

GP9 Sustainable Development

Conclusion/Brief comment:

Policy OC4 states that:

Proposals to extend, alter or redevelop existing retail premises Outside of the Centres will generally be supported where:

- a. development is of limited scale to provide for minor alterations to facilitate the continuation of the existing retail use at its current level of operation; or,*
- b. the existing convenience retail operation supports the recreational enjoyment of the coastal location; and,*
- c. in all cases there would not be an unacceptable adverse impact on the visual character and amenity of the locality.*

As set out above, the roadside wall is considered to positively contribute character to the site and surrounding area and therefore is sensitive to development. The agent has carefully considered the development by retaining the wall and has integrated the glass panels via a vertical cut channel, bonded by resin. Each glass panel (2.5m in length), will be separated by 10mm, which will adopt a seamless design. By virtue of this method of fixing and the height of the glass above the wall will result in high level of design, when compared to other means of fixings.

Whilst it is recognised that the development could be sited on the inside of the wall, will prevent individuals from sitting on the wall, and will change the appearance of the site when 'read' in the street scene, the development is not considered to cause

an unacceptable adverse impact on the visual character and amenity of the locality. The justification for the proposal is reasonable and acceptable. In addition, the proposal is reversible should the need arise to remove the glass panels and infill the vertical cut channel.

Overall, the proposal adopts a high standard of design by virtue of the detailed design of the proposal (Policy GP8), and will not have a significant detrimental impact on the landscape character of the area (Policy GP1), visual amenity, or the amenities of neighbouring residents.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 14/11/23

