

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: Variation to previously approved application (FULL/2022/1749-change of use from offices to two flats) to create a roof terrace for Unit 2

LOCATION: The Beehive, Collings Road, St. Peter Port.

APPLICANT: Mr I Walker

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: 04/12/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 30/10/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP Architecture: 3254 WD-001B, 002A & 003B

Application Ref: FULL/2023/2112

Property Ref: A207360000

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 03/12/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The applicant is reminded that the remaining flat roof area must not be used as a balcony, roof terrace/garden or amenity area without the Authority's prior written consent.

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/2023/2112
Property Ref: A207360000
Valid date: 30/10/2023
Location: The Beehive Collings Road St. Peter Port Guernsey
Proposal: Variation to previously approved application
(FULL/2022/1749- change of use from offices to two flats) to
create a roof terrace for Unit 2
Applicant: Mr I Walker

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.

2. The development hereby permitted shall be begun within 3 years from the date of grant of this 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.

INFORMATIVES

The applicant is reminded that the remaining flat roof area must not be used as a balcony, roof terrace/garden or amenity area without the Authority's prior written consent.

OFFICER'S REPORT

Brief Description of the site:

The Beehive is a flat roof, two storey building located on the corner of Rohais and Collings Road. The building is pre 1900 and has a curved exterior which follows the corner of the road. The immediately surrounding area is predominantly a mixture of residential with some small commercial units.

The building is located within a Main Centre Outer Area, as designated in the Island Development Plan.

Relevant History:

FULL/2022/1749 – Change of use from offices (Use Class 16) to 2 flats (Use Class 2).

Existing Use(s):

Office (Use Class 16)

Representations:

One neighbour letter has been received, this raises concerns regarding overlooking of the neighbouring garden and their rear windows along with additional noise and disturbance close to bedroom windows.

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:

MC2	Housing in Main Centres and Main Centre Outer Areas
GP8	Design
GP9	Sustainable Development

Conclusion/Brief comment:

Although not implemented yet, the principle of the change of use of the existing offices to residential flats was established by the earlier application (FULL/2022/1749) and relies on Policy MC2 which supports new housing within the Main Centre.

It is now proposed to add a roof terrace, utilising the existing flat roof, accessed by a skydoor with retractable ladder within the living room of Unit 2

Policy GP8 requires, inter alia, new development to achieve a good standard of design that respects the character of the area; the health and well-being of the occupiers and neighbours of the development by providing adequate daylight, sunlight and private/communal open space.

The proposal introduces a new amenity space for the occupants of Unit 2 which is beneficial to the change of use scheme. The boundary of the terrace has been revised due to officer concerns, and brought away from the boundary with the neighbouring property at the north east to prevent any potential overlooking or disturbance as a result of its use. The revised plans are considered to improve the impact with the neighbouring dwelling to an acceptable level.

There is not considered to be any adverse impact on the character or visual amenity of the area as the terrace edge is demarked by a 1.1m high glass balustrade which will only be prominent in longer views due to the set back from the edge of the building and adjacent pitched roof which will screen the balcony from views from along the Rohais to the east.

Conclusion:

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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.

