

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: Variations to plans previously approved to Extend and alter Hotel complex, demolish dwelling and erect Wellness Centre and staff accommodation and flat (Protected Building) (Revised Scheme) - Increase floor area (store area/plant and link extension/enclosing staff amenity area), external staircase, material and fenestration alterations.

LOCATION: Bella Luce Hotel, La Fosse De Haut, St. Martin.

APPLICANT: Green Giant 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: 22/03/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 21/02/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Hd Ar: 1154-GALG-P2, -GAUG-P2, -GA01-P2, -GARF-P2, -GEO1-P1, -GEO2-P1, -GE03-P1, -GEO4-P1, -GEO5-P1, -GEO6-P1 -S00-P1 & -S02-P1.

Application Ref: FULL/2024/0276

Property Ref: J012840000 + J01284A000

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 development, excluding demolition and site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Authority:

- i) the treatment proposed for all ground surfaces, including hard areas;
- ii) full details of tree and hedge planting, which shall include specifying the replacement of the existing trees proposed to be removed with new trees of appropriate indigenous species;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants;
- iv) finished levels or contours;
- v) any screen walls or similar structures;
- vi) any other structures to be erected or constructed;
- vii) functional services above and below ground; and
- viii) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

5. No development, including site works, shall begin on site until each tree shown to be retained on the approved plan has been protected, in a manner previously agreed in writing by the Authority. Each tree shall be protected in the agreed manner for the duration of building operations on the application site. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil of any kind shall be placed or stored

thereon. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

Reason - The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

6. No development, including site clearance and demolition, shall take place until an updated version of the Site Waste Management Plan submitted as part of this application has been submitted to and approved in writing by the Authority. The updated Site Waste Management Plan shall take into account any further site surveys or changes to the construction programme, and shall identify an individual with responsibility for regularly monitoring the Site Waste Management Plan. The development shall thereafter be carried out only in accordance with the Site Waste Management Plan so approved.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

7. No development, including site works, shall begin on site until details of existing and proposed levels, including ground levels, finished floor levels of all buildings and a number of sections across the site (these sections to extend to land and buildings adjoining the application site), have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the details agreed under the terms of the above condition.

Reason - To make sure that the development is carried out in a way which is in character with its surroundings.

8. Prior to the first use of the new primary access in the north boundary of the site by hotel guests or by members of the public visiting the site, precise details of the achievable visibility splay to the east in the direction of oncoming traffic and of mitigation measures to overcome any obstruction to visibility arising from vehicles using the adjacent sewage emptying point shall be submitted to and approved in writing by the Authority. The required mitigation shall be carried out within two months of such written approval being granted by the Authority.

Reason - In the interests of highway safety.

9. The new access in the north boundary of the site shall not exceed 5.5 metres in overall width. Within four weeks of the new access being brought into use, the ends of the new opening shall be finished off using materials and a method of construction which match the remainder of the boundary.

Reason - To secure the satisfactory appearance of the completed development.

10. Upon completion, or prior to the first occupation (whichever is the sooner) of the approved works to extend and alter the hotel complex the wall immediately to the north of the west access, subject of temporary planning permission granted under reference FULL/2023/0052 on 18/05/2023 to Widen vehicle access to west boundary for a temporary period, shall be reconstructed using materials and a method of construction which match the remainder of the wall to the satisfaction of the Authority.

Reason - In the interests of visual amenity and to protect the character and appearance of the Conservation Area and the setting of the Protected Building in accordance with Policies GP4, GP5 and GP8 of the Island Development Plan.

11. No materials to be used on the exterior of the buildings shall be placed on the site until such time as samples of those materials have been submitted to the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the development.

Reason - To secure the satisfactory appearance of the completed development.

12. The development shall be carried out strictly in accordance with the updated Construction Environmental Management Plan (CEMP) submitted as part of this application, unless the Authority has given its prior written agreement to any variation.

Reason - To ensure that the construction process is managed in such a way as to minimise adverse impacts on the amenity of the local area as far as possible.

13. No plant or machinery incorporated within the development hereby permitted shall be installed until an acoustic report demonstrating that noise associated with that plant and machinery shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones, has been submitted to and agreed in writing by the Authority. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014, and thereafter all plant and machinery shall be operated and maintained to achieve continued compliance with this condition.

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.

14. No part of the development, hereby permitted, shall be occupied or used until details of any external lighting proposed for the site have been submitted to and agreed in writing by the Authority. Any lighting to be installed shall only be in

accordance with the agreed details.

Reason - To make sure the level of lighting is not excessive in order to secure a sustainable form of development and one which does not unduly interfere with residential amenity or traffic and pedestrian safety.

15. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

16. The spa/wellness centre and staff accommodation shall not be used other than in association with and ancillary to the Bella Luce hotel and for no other purpose.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

17. No part of the development hereby permitted shall be occupied or brought into use until there has been submitted to the Authority a report providing verification that the development has been carried out and monitored fully in accordance with the Site Waste Management Plan approved under Condition 6 above. Where there has been any variation from the approved Site Waste Management Plan, the report shall highlight and detail the reasons for this.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

Expiry Date: This permission will cease to have effect on 22/03/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their provisions. The existing building complex may be used by bats or other wildlife for roosting and nesting. We request that the site is inspected accordingly prior to any building works. Additional measures

should also be taken (including consideration of the timing of the works and provision to support wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg.

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment.

It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site.

The Archaeology team can be contacted on 01481 709738, 01481 709739 or mobiles 07781 102219 or 07781 131061.

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/2024/0276
Property Ref: J012840000 + J01284A000
Valid date: 21/02/2024
Location: Bella Luce Hotel La Fosse De Haut St. Martin Guernsey
Proposal: Variations to plans previously approved to Extend and alter Hotel complex, demolish dwelling and erect Wellness Centre and staff accommodation and flat (Protected Building) (Revised Scheme) - Increase floor area (store area/plant and link extension/enclosing staff amenity area), external staircase, material and fenestration alterations.
Applicant: Green Giant Limited

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.

4. No development, excluding demolition and site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Authority:

- i) the treatment proposed for all ground surfaces, including hard areas;
- ii) full details of tree and hedge planting, which shall include specifying the replacement of the existing trees proposed to be removed with new trees of appropriate indigenous species;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants;
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- viii) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

5. No development, including site works, shall begin on site until each tree shown to be retained on the approved plan has been protected, in a manner previously agreed in writing by the Authority. Each tree shall be protected in the agreed manner for the duration of building operations on the application site. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

Reason - The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

6. No development, including site clearance and demolition, shall take place until an updated version of the Site Waste Management Plan submitted as part of this application has been submitted to and approved in writing by the Authority. The updated Site Waste Management Plan shall take into account any further site surveys or changes to the construction programme, and shall identify an individual with responsibility for regularly monitoring the Site Waste Management Plan. The development shall thereafter be carried out only in accordance with the Site Waste Management Plan so approved.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

7. No development, including site works, shall begin on site until details of existing and proposed levels, including ground levels, finished floor levels of all buildings and a number of sections across the site (these sections to extend to land and buildings adjoining the application site), have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the details agreed under the terms of the above condition.

Reason - To make sure that the development is carried out in a way which is in character with its surroundings.

8. Prior to the first use of the new primary access in the north boundary of the site by hotel guests or by members of the public visiting the site, precise details of the achievable visibility splay to the east in the direction of oncoming traffic and of mitigation measures to overcome any obstruction to visibility arising from vehicles using the adjacent sewage emptying point shall be submitted to and approved in writing by the Authority. The required mitigation shall be carried out within two months of such written approval being granted by the Authority.

Reason - In the interests of highway safety.

9. The new access in the north boundary of the site shall not exceed 5.5 metres in overall width. Within four weeks of the new access being brought into use, the ends of the new opening shall be finished off using materials and a method of construction which match the remainder of the boundary.

Reason - To secure the satisfactory appearance of the completed development.

10. Upon completion, or prior to the first occupation (whichever is the sooner) of the approved works to extend and alter the hotel complex the wall immediately to the north of the west access, subject of temporary planning permission granted under reference FULL/2023/0052 on 18/05/2023 to Widen vehicle access to west boundary for a temporary period, shall be reconstructed using materials and a method of construction which match the remainder of the wall to the satisfaction of the Authority.

Reason - In the interests of visual amenity and to protect the character and appearance of the Conservation Area and the setting of the Protected Building in accordance with Policies GP4, GP5 and GP8 of the Island Development Plan.

11. No materials to be used on the exterior of the buildings shall be placed on the site until such time as samples of those materials have been submitted to the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the development.

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Construction Environmental Management Plan (CEMP) submitted as part of this application, unless the Authority has given its prior written agreement to any variation.

Reason - To ensure that the construction process is managed in such a way as to minimise adverse impacts on the amenity of the local area as far as possible.

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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.

14. No part of the development, hereby permitted, shall be occupied or used until details of any external lighting proposed for the site have been submitted to and agreed in writing by the Authority. Any lighting to be installed shall only be in accordance with the agreed details.

Reason - To make sure the level of lighting is not excessive in order to secure a sustainable form of development and one which does not unduly interfere with residential amenity or traffic and pedestrian safety.

15. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

16. The spa/wellness centre and staff accommodation shall not be used other than in association with and ancillary to the Bella Luce hotel and for no other purpose.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

17. No part of the development hereby permitted shall be occupied or brought into use until there has been submitted to the Authority a report providing verification that the development has been carried out and monitored fully in accordance with the Site Waste Management Plan approved under Condition 6 above. Where there has been any variation from the approved Site Waste Management Plan, the report shall highlight and detail the reasons for this.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

INFORMATIVES

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their provisions. The existing building complex may be used by bats or other wildlife for roosting and nesting. We request that the site is inspected accordingly prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg.

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment.

It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site.

The Archaeology team can be contacted on 01481 709738, 01481 709739 or mobiles 07781 102219 or 07781 131061.

OFFICER'S REPORT

Site Description:

The application site includes the Bella Luce Hotel and an existing dwellinghouse to the east known as Santa Lucia which is in the same ownership. The site is bounded by Les Camps du Moulin to the north, Rue Jacques Guille to the east and La Fosse de Bas to the west and is in a Conservation Area designated in the Island Development Plan. The traditional main hotel building is a Protected Building.

The site has been cleared pursuant to previous planning permission leaving the main structure of the Protected Building minus its roof and the dwellinghouse Santa Lucia presently intact.

Relevant History:

FULL/2022/1283 - Extend and alter hotel complex (Protected Building). Granted 24/08/2022.

FULL/2023/0052 - Widen vehicle access to west boundary for a temporary period, and widen vehicle access to north boundary (part retrospective). Granted 18/05/2023.

FULL/2023/1338 - Extend and alter Hotel complex, demolish dwelling and erect Wellness Centre and staff accommodation and flat (Protected Building) (Revised Scheme). Granted 26/09/2023.

Existing Use(s):

Hotel – Visitor economy use class 7: Serviced visitor accommodation.
Dwellinghouse – Residential use class 1.

Brief Description of Development:

The application relates to proposed variations to the plans previously approved to Extend and alter Hotel complex, demolish dwelling and erect Wellness Centre and staff accommodation and flat (Protected Building) (Revised Scheme) - Increase floor area (store area/plant and link extension/enclosing staff amenity area), external staircase, material and fenestration alterations.

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

IDP Policies:

OC1 – Housing Outside of the Centres

OC8(A) – Visitor Accommodation Outside of the Centres – New, Extension, Alteration or Redevelopment of Existing Uses

GP4 – Conservation Areas

GP5 – Protected Buildings

GP7 – Archaeological Remains

GP8 - Design

GP9 – Sustainable Development

GP12 – Protection of Housing Stock

IP7 – Private and Communal Car Parking

IP9 – Highway Safety, Accessibility and Capacity

Representations:

One letter of representation objecting to the application has been received from a neighbouring resident whose property is situated on the east side of Rue Jacques Guille, opposite (i.e. to the east of) the proposed building containing the spa/wellness centre, staff accommodation and flat. Grounds of objection relate to the following points:-

- The application refers to discussion with stakeholders but no one has attempted to contact us who will be affected in a detrimental manner by this significant development.
- It appears that the developers have played the system by gaining the necessary demolition procedure via hyped proposals including what now appears to be the “token gesture” of thatching the roof of the original stone Guernsey farmhouse and allegedly planning to spend £15m on the project.
- Once the irrevocable demolition has been achieved the project promptly ground to a halt. It appears that over the intervening period the application has been manipulated to the current proposal of a larger development using construction techniques and materials more appropriate to industrial sites.
- We are particularly concerned that the 3+ storey overall height of the spa/wellness centre etc now incorporating the soon to be demolished Santa Lucia (a traditionally constructed family home) will create an enormous, long industrial style building of constant height above sea level along Jacques Guille. The road and hedge sloping away down the hill will expose just how large and inappropriate this building is.
- The construction cladding materials of various colours of anodised aluminium and GRP are more consistent with an industrial estate than an hotel. In addition they create, transmit and reflect noise.
- The vertical cladding format is more appropriate to a factory than a residential area mainly comprising attractive residences of traditional materials with pitched roofs.
- Point 1.9 of the latest application refers to an increase in the GIA of “only” 252 sqm. This in itself is the size of a factory or warehouse.
- Application point 1.5.4 refers to an external terrace being “roofed over” which must increase the height and bulk of the east elevation.
- How are the above points consistent with application point 2.3.2 referring to no change in size, bulk and mass?

- The Island is already littered with burnt out and derelict hotels that did not stand the test of time. This construction is not long term.
- Other neighbours are away at present but have asked the representor to note their disappointment that this opportunity appears to be being wasted by the use of inappropriate construction technology more suitable to industrial sites.

Consultations:

None.

Summary of Issues:

The key issues in this case relate to the proposed changes from the previous permission and any adverse impact of these, particularly on the design and appearance of the scheme and on the amenity of neighbouring residents.

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).**

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 considered in the assessment of this application.

Planning permission was granted in August 2022 to Extend and alter the hotel complex (Protected Building). This development was begun and the Bella Luce site was cleared except for the Protected Building the renovation of which was commenced. A further permission for a revised scheme incorporating the Santa Lucia site and proposing to demolish the dwelling and erect a Wellness Centre and staff accommodation and flat was granted on 26/09/2023 (application reference FULL/2023/1338).

The current application is for further revisions to the works previously approved under application reference FULL/2023/1338 and incorporates the following elements:-

- Minor changes to the plan form and layout of the proposed extension to rationalise construction and usability of the building
- Additional floorspace at lower ground floor level including a link from the hotel to the spa (a total increase in area of 252 sqm.)
- External steps introduced from lower terrace gardens to the spa

- The external first floor terrace to the staff accommodation is roofed to provide an internal amenity area
- Internal alterations to hotel accommodation with larger master suite on upper floor of hotel reducing rooms from 12 to 11 but with no change in boarding permit accommodation numbers
- Alterations to door and window fenestration
- Detailed design changes to fin and column design and portico/roof position to colonnades.

The minor layout changes and additional floorspace at lower ground floor level are internal and/or situated below ground level and would have no impacts in terms of the appearance of the development or on amenity outside of the site.

The external steps are well within the site and would have no adverse impacts.

Regarding the alterations proposed to the building containing the spa/wellness centre, staff accommodation and flat, roofing of the previously proposed open amenity area at first floor level would not change the height, mass or elevations of the building as this area was previously proposed to be enclosed by walls, and there would therefore be no effect on the scale or appearance of the development from outside the site.

In addition, three new windows are proposed to the north elevation of this building at first floor level. However these would be set back from the site boundary by between 7m and 9m and would be screened by the intervening 5m wide belt of landscaping along the roadside. Given the distance involved, the intervening landscaping and that the development is situated on the other side of the public road, the impact of these windows on the amenity of the domestic property to the east is within acceptable limits.

Alterations to fenestration proposed elsewhere in the scheme are also of acceptable design and would have no adverse impacts. The proposed detailed design refinements to the fins and portico will enhance the architectural quality of the scheme. The external materials remain as previously proposed. The application includes an updated waste management plan, GP9 statement and CEMP.

Notwithstanding the representation received, it is concluded that the revisions proposed under this application are acceptable having regard to all material planning considerations and it is therefore recommended that planning permission be granted subject to the same conditions as were previously imposed under application reference FULL/2023/1338.

Date: 22/03/2024

