

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 convert, extend and alter hotel (Visitor Economy Use Class 7) to create 12 flats (Residential Use Class 2) and 2 dwellings (Residential Use Class 1) - Subdivide unit 4 to create additional flat and alterations to fenestration to east elevation.

LOCATION: L'Eree Hotel, Route De La Rocque Poisson, L'Eree, St. Pierre Du Bois.

APPLICANT: Red (L'Eree Bay) 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: 18/04/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/03/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: KKA: 4703/SK30 & /SK42.
ArcTech Freelance Architecture: LBH-SITE PLAN A.

Application Ref: FULL/2024/0395

Property Ref: F000860000

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 on or before 18/06/2026.

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. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 19/06/2023, issued under planning application reference FULL/2023/0312, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

Expiry Date: This permission will cease to have effect on 18/06/2026 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/2024/0395
Property Ref: F000860000
Valid date: 15/03/2024
Location: L'Eree Hotel Route De La Rocque Poisson L'Eree St. Pierre Du Bois Guernsey GY7 9LQ
Proposal: Variations to plans previously approved to convert, extend and alter hotel (Visitor Economy Use Class 7) to create 12 flats (Residential Use Class 2) and 2 dwellings (Residential Use Class 1) - Subdivide unit 4 to create additional flat and alterations to fenestration to east elevation.
Applicant: Red (L'Eree Bay) 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 on or before 18/06/2026.

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. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 19/06/2023, issued under planning application reference FULL/2023/0312, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a former hotel building located on the eastern side of the coast road (Route de la Rocque Poisson), at the junction of that road with Route des Sablons and Route des Adams. The site is bounded by residential properties to the south, east and across the road to the north. To the west, across the coast road, is open common land located above the beach.

The site is located Outside of the Centres in the Island Development Plan and is not subject to any other Plan designation.

Relevant History:

FULL/2023/0312 Convert, extend and alter hotel (Visitor Economy Use Class 7) to create 12 flats (Residential Use Class 2) and 2 dwellings (Residential Use Class 1) with associated landscaping, parking, refuse and cycle store. Approved 19/06/2023

Existing Use(s):

Visitor Economy Use Class 7: Hotel

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

X
X
X
X

visual amenity acceptable
no material neighbour impact
traffic not affected

X
X
X

Policies considered most relevant:

OC1	Housing 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
IP9	Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

This application seeks to vary the plans previously approved to convert, extend and alter the hotel (Visitor Economy Use Class 7) to create 12 flats (Residential Use Class 2) and 2 dwellings (Residential Use Class 1), to create 13 flats and 2 dwellings. The additional flat would be achieved through the subdivision of approved Unit 4, previously a 3 bed flat on the ground floor, to create 2no 1 bed flats. To support this subdivision the application includes infilling of an existing door and installation of patio doors to the east elevation, and limited additional internal partitioning.

The proposed works would be limited in scope and would not change the assessment of the development against the relevant policies set out above.

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.

Recommendation:

Grant with Conditions



Date: 15/04/2024