

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: Demolish section of pier, install boat lift to west of slipway.

LOCATION: Boatworks+, Castle Emplacement, St. Peter Port.

APPLICANT: Boatworks+

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: 22/01/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 28/08/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture: 2363 02.01A
Marine Travelift: 1400236DV & A4 Pile Sketch.

Application Ref: FULL/2024/1425

Property Ref: A411199A00

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.Within six months of the boat lift hereby approved becoming redundant and its use ceasing, or such other period previously agreed in writing by the Authority, the boat lift shall be removed from the site.

Reason - Permission for the boat lift has been granted only on the basis that it is required in association with a port-related use. If that use ceases, removal of the structure is required in the interests of the character of the Conservation Area.

Expiry Date: This permission will cease to have effect on 22/01/2028 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/2024/1425
Property Ref: A411199A00
Valid date: 28/08/2024
Location: Boatworks+ Castle Emplacement St. Peter Port Guernsey
GY1 1AU
Proposal: Demolish section of pier, install boat lift to west of slipway.
Applicant: Boatworks+

RECOMMENDATION - Grant: Planning Permission with Conditions:

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OFFICER'S REPORT

Brief Description of the site:

The application site comprises an industrial building and associated slipway situated to the north of the model yacht pond and to the east of Fish Quay. The building is currently used as a chandlery, boat repair and refuelling business. Surrounding the site, the area comprises St Peter Port Harbour to the north and west, Castle Pier and the model yacht pond to the south and Guernsey Yacht club to the east.

The site is situated within St Peter Port Conservation Area, and Harbour Action Area as designated in the Island Development Plan.

Relevant History:

FULL/2023/2351	Erect signage to east and south of building and site.	Granted 28/12/2023
FULL/2022/1105	Erect signage to south (front) and east (side) of building and free standing sign to south east of dry dock (retrospective).	Granted 01/09/2022
FULL/2017/0520	Repair works to Harbour Wall	Granted 10/04/2017
FULL/2012/1686	Alterations to main entrance on south elevation to sliding doors and side screens and glazed panels under existing canopy and alter side entrance on east elevation.	Granted 13/07/2012
FULL/2011/3778	Install concrete pad on seabed below fuel pontoon	Granted 16/01/2012

Existing Use(s):

Boat repair business, chandlery and refuelling

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:

MC5B: Industry, Storage and Distribution Uses in Main Centres and Main Centre Outer Areas - outside of the Key Industrial Areas and Key Industrial Expansion Areas;
MC10: Harbour Action Area;
IP3: Main Centre Port Development;
GP4: Conservation Areas;
GP8: Design;
GP9: Sustainable Development

Consultations:

Guernsey Ports

By letter dated 07th January 2025 stated the following:

“Guernsey Ports is writing to express its support for the Application referenced above, submitted by Boatworks for the proposed development at the site known as Boatworks, Castle Emplacement, St Peter Port, GY1 1AU.

Having reviewed the details of the Application, Guernsey Ports believes that the proposed development will bring significant benefits to the area and the marine industry in Guernsey. Specifically, Guernsey Ports supports the Application because:

- 1. The project will equip harbour users with essential modern boat lifting equipment and facilities, by enabling Boatworks to enhance their services and support for Guernsey's marine industry.*
- 2. The project will optimise the use of an area that is in need of development, with the current hoist having a limited tonnage hoist. The new facility would allow for larger boat lifts and better compliance with industry standard lifting arrangements.*
- 3. Although detailed design drawings have not yet been submitted to Guernsey Ports, it is anticipated that the project will actively contribute to the ambitions of the Guernsey Port's Pool Marina Programme. The project will occupy a similar footprint to the existing Boatworks' lift, but will provide a more enhanced service, which was identified as a requirement for the Pool Marina Programme.*

We appreciate the thorough consideration given to the Application and trust that the Planning and Building Control team will recognise the positive impact this development will have on Guernsey's marine community and our harbours."

Guernsey Development Agency

By email dated 20th January 2025 stated the following:

"The application appears to seek to enhance the existing business. We wish to ensure no new development obscures the views of the castle or the Islands off shore. From what we can see from what has been sent, the boatlift is relatively thin in frame and not of excessive height and so would not appear to exceed the height of the existing adjacent building and so should not obscure the view. Assuming our interpretation to be correct then the GDA has no objection to the application."

Conclusion/Brief comment:

Planning permission is sought to demolish a small section of the existing concrete pier and to install a boat lift. The boat lift will involve the retention of the existing slipway, the construction of 2 new 40m long concrete pier arms (either side of the slipway) and a new Marine Travelift. The boatlift will measure 6.1m at its maximum height, by 6.76m overall width by 8.0m in depth.

Policy MC5(B) supports proposals to redevelop, alter or extend existing industrial or storage and distribution uses where they would not have an unacceptable adverse impact on the amenities of the surrounding uses. The proposal will be built above an existing boat slipway and adjacent to an existing boat repair and chandlery business. The proposal will therefore be seen in context and will be consistent with the surrounding marine based activities. The proposal would therefore not harm the amenities of any surrounding uses.

The site is within a Conservation Area. It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting Conservation Areas, to secure so far as possible that the special historic, architectural, traditional or other special characteristics are preserved. This is reflected in Policy GP4 which supports development that conserves, and where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area. Within Conservation Areas Policy GP8 seeks to ensure that new development achieves a particularly high standard of design whilst making effective and efficient use of land and respecting the character of the local built environment or the open landscape concerned.

The proposed development will facilitate an existing marine based business and will be seen in context with the industrial building to the east and marine activities and boat storage that surrounds the site. Although visible on the approach to St Peter Port from the coast and from parts of the Fish Quay, the proposal has been designed to be in-keeping with and proportionate to the neighbouring buildings (lower in height than the building to the east), piers and surrounding uses. The proposal has

also been designed and positioned to involve limited works to the existing site and reduce any interference with other operations in the surrounding marina. The proposal would therefore conserve and would not cause harm to the special character, architectural or historical interest of the surrounding Conservation Area and complies with the provisions of the Law and policy GP4 of the IDP.

The site is situated within St Peter Port Harbour Action Area where Policy MC10 of the IDP requires detailed strategies for this area to be provided for in an approved Local Planning Brief (LPB) to be approved by the States of Guernsey. At present the LPB for this area is in draft form and has not been formally adopted by the States. The LPB cannot therefore be taken into account in the determination of this application. However, the Guernsey Development Agency (GDA) has been consulted and raised no objection to the application as proposed. In the absence of any objection from the GDA and from Guernsey Ports, it is considered that the proposal would not prejudice the outcomes of the LPB process, or inhibit the implementation of an approved LPB and therefore complies with policy MC10 of the IDP.

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.

The application is acceptable in relation to the above policies and other material planning considerations and it is recommended that planning permission be granted.

Recommendation:

Grant with Conditions



Date: 21/01/2025

