

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: Erect 3 domes on terrace to south (rear) elevation for temporary period (7th October 2024 until 31st March 2025).

LOCATION: Duke Of Richmond Hotel, Cambridge Park Road, St. Peter Port.

APPLICANT: The Duke Of Richmond Hotel

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: 26/09/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 19/08/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block plan, hand drawn plan and elevations (all dated 19/08/24).

Application Ref: FULL/2024/1433

Property Ref: A111910000

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. The domes and shed hereby permitted shall not be used before 08:00 hours and after 22:30 hours each day. They will only be in use between 7th October 2024 and 31st March 2025.

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.

Expiry Date: This permission will cease to have effect on 26/09/2027 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/2024/1433
Property Ref: A111910000
Valid date: 19/08/2024
Location: Duke Of Richmond Hotel Cambridge Park Road St. Peter Port
Guernsey GY1 1UY
Proposal: Erect 3 domes on terrace to south (rear) elevation for
temporary period (7th October 2024 until 31st March 2025).
Applicant: The Duke Of Richmond Hotel

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. The domes and shed hereby permitted shall not be used before 08:00 hours and after 22:30 hours each day. They will only be in use between 7th October 2024 and 31st March 2025.

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.

OFFICER'S REPORT

Brief Description of the site:

This application proposes to install 3no. dome structures on the Richmond Hotel sun terrace from the 7th October 2024 until 31st March 2025. Planning permission has been granted on an annual basis to install these structures during the lead up to and over the Christmas holiday period, on condition that they are removed at the end of January, apart from last year where a second application allowed the domes to remain in situ until the end of March 2024. The application site is located in the St Peter Port Main Centre and Conservation Area under the Island Development Plan.

Relevant History:

FULL/2023/2450 – Variation of planning condition 2 of FULL/2023/1530 to allow erection of 3 domes and a shed until 31/03/2024 – approved.

FULL/2023/1530 - Erect 3 domes and a shed on terrace to south (rear) elevation (retrospective) – approved.

FULL/2022/1866 - Erect three domes and a shed on terrace to south elevation – approved.

FULL/2021/2177 - Erect 3 domes and a shed on terrace to south (rear) elevation – approved.

FULL/2019/2096 - Erect three domes and a shed on terrace south elevation (Retrospective).
approved.

Existing Use(s):

Visitor economy use class 7: serviced visitor accommodation.

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:

GP4 – Conservation Areas

GP8 – Design

MC8 – Visitor Accommodation in Main Centres and Main Centre Outer Areas

Consultations:

The Office of Environmental Health and Pollution Regulation.

11/09/24

'I note there is no information provided about what the domes would be used for, or the proposed times for their use. Therefore, I would welcome the following information to be provided; the proposed use of each dome and the proposed operation time of each dome.'

24/09/2024

'I understand the domes and shed are intended to be used for private dining and that these have been erected in the winter months at the hotel every year since 2019 (except 2020). I am concerned that if the dates and times of use of the domes are not restricted by conditions, there could be a loss of amenity on the closest neighbouring residential properties arising from noise disturbance.'

I recommend that the following conditions are applied to minimise the potential for noise disturbance:

- The domes must not be used before 08:00 hours and after 22:30 hours each day.*
- The domes and shed must not be used after 31st March 2025, unless otherwise agreed in writing by the Authority.*

I would be grateful if these issues are considered during the determination of this application.'

Conclusion/Brief comment:

The application is acceptable in relation to the above policies and other material planning considerations, subject to the permission being granted for a temporary period only, and with limitations on hours of use as specified 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: 25/09/2024

