

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 enclosure to covered patio area to south-west (front) elevation (from 1st November until 1st March each year for a 3 year period).

LOCATION: Rocquettes Hotel, Les Gravees, St. Peter Port.

APPLICANT: Sarnia Hotels 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: 10/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 30/08/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: The Drawing Room: 286/B1, B2 & B3.

Application Ref: FULL/2024/1502

Property Ref: A204140000

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 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.

3.The hereby approved pallet walls to the existing covered patio shall only be erected and retained between 1st November and 1st March each year. No permission is conferred for the pallet walls to be retained between 2nd March and 31st October each year.

Reason - The permission is granted to meet a declared short term need and because it is a development which by virtue of its nature and impact is considered to be unacceptable on a permanent basis.

4.This permission is given for a limited period of three years expiring on 1st March 2027, by which time the pallet walls shall be dismantled and removed from the site and the land reinstated to its former use and condition to the satisfaction of the Authority.

Reason - The permission is granted to meet a declared short term need and because it is a development which by virtue of its nature and impact is considered to be unacceptable on a permanent basis.

Expiry Date: This permission will cease to have effect on 01/03/2027.

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/2024/1502
Property Ref: A204140000
Valid date: 30/08/2024
Location: Rocquettes Hotel Les Gravees St. Peter Port Guernsey GY1 1RN
Proposal: Erect enclosure to covered patio area to south-west (front) elevation (from 1st November until 1st March each year for a 3 year period).

Applicant: Sarnia Hotels 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 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.

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4. This permission is given for a limited period of three years expiring on 1st March 2027, by which time the pallet walls shall be dismantled and removed from the site and the land reinstated to its former use and condition to the satisfaction of the Authority.

Reason - The permission is granted to meet a declared short term need and because it is a development which by virtue of its nature and impact is considered to be unacceptable on a permanent basis.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Les Roquettes Hotel' is a three storey hotel built on three sides around a courtyard, it is located to the northeast of Les Gravees. There is a church and line of residential properties to the south and west of the road. Rocquettes Lane runs along the eastern boundary, with residential properties on the other side, and to the north are a handful of detached residential properties with Roquettes Road beyond. The property is located in the St Peter Port Main Centre Outer Area and Conservation Area as defined in the Island Development Plan.

Relevant History:

FULL/2023/1332 – Temporary enclosure of covered patio area to southwest front elevation – Approved October 2023.

FULL/2022/2333 - Temporary enclosure of covered patio area to south-west (front) elevation (Retrospective) – Approved March 2023.

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:

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

GP4: Conservation Areas

GP8: Design

Consultations:

The Office of Environmental Health and Pollution Regulation.

'I have reviewed the proposed plans for a temporary shelter to be erected over the patioed area at the above mentioned address which were received by email on 16th September 2024 and I do not wish to raise any objections to the proposals.

Whilst I do not have any objection to the proposals, I note that in the photos provided of the previous shelter, ash trays are present on the tables which suggests that smoking has previously been allowed under the shelter. The Smoking (Prohibition in Public Places and Workplaces) (Guernsey) Law, 2005, prohibits smoking in any enclosed public place or enclosed workplace. As the shelter has a roof and is more than 50% enclosed smoking will be prohibited within the shelter. I will contact Les Rocquettes Hotel directly to ensure smoking does not take place within the shelter should permission be granted.'

Conclusion/Brief comment:

This application is to erect an enclosure (made of pallets) of the existing covered patio area on the southwest front elevation. The enclosure will be up from the 1st November until the 1st March each year for a three year period.

It has been noted by Environmental Health that smoking would not be allowed in the enclosure.

The proposed walls are made of wooden pallets, and although there are reservations about the quality of the design, the temporary nature of the development would limit any harm.

The covered patio is a relatively small area when considering the whole of the façade, it is not easily seen from the road and the temporary proposal is not considered to have an unacceptable detrimental impact on the special character and appearance of the surrounding Conservation Area, nor would it have any effect on neighbouring amenity.

The development would provide some limited social and economic benefits, and due to the particular circumstances in this case and the temporary nature of the development, it is considered that any harm to the Conservation Area in this instance would be of short duration and therefore the overall impact will be limited such that the proposal does not conflict with Policies GP4 and GP8.

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.

Recommendation:

Grant with Conditions



Date: 09/10/2024