

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, erect Wellness Centre and staff accommodation and flat (Protected Building) (Revised Scheme) - Alterations to protected building.

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

APPLICANT: Green Giant Ltd

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: 14/02/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/01/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Hd Architects Ltd - 1154-EXGE-DE-01-P1, 02-P1, LG/A-P1, UG/A-P1, LH_GE07-P1, GA-LH01/A-P1, LH_GE02-P1, GA-LH-UG/A-P1, LH_GE01-P1, LH_GE05-P1, LH_GE06-P1, GA-LH-LG/A-P1, LH_GE04-P1, LH_GE03 P1, LH_GE08-P1, , S-LH-Ex-P1

Application Ref: FULL/2024/2073

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 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 permission hereby granted relates only to the variation specified above and as shown on the approved drawings. In all other respects the development shall be carried out in full accordance with the permission dated 26/09/2023, issued under planning application reference FULL/2023/1338, and subject to the terms and conditions thereof.

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

Expiry Date: This permission will cease to have effect on 14/02/2028 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/2024/2073
Property Ref: J012840000+J01284A000
Valid date: 08/01/2025
Location: Bella Luce Hotel La Fosse De Bas St. Martin Guernsey GY4 6EB
Proposal: Variations to plans previously approved to extend and alter Hotel Complex, demolish dwelling, erect Wellness Centre and staff accommodation and flat (Protected Building) (Revised Scheme) - Alterations to protected building.
Applicant: Green Giant Ltd

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.

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 permission hereby granted relates only to the variation specified above and as shown on the approved drawings. In all other respects the development shall be carried out in full accordance with the permission dated 26/09/2023, issued under planning application reference FULL/2023/1338, and subject to the terms and conditions thereof.

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

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.

FULL/2024/0276 - 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.

FULL/2024/0930 - Variation to condition 5 of permission reference FULL/2022/1283 to fell chestnut tree to north of site (site of Protected Building).

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) – Alterations to the protected building.

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:

None

Consultations:

Office of Environmental Health and Pollution Regulation

By letter dated 31/01/2025 stated the following:

“I have reviewed the application for variations to plans previously approved to extend and alter the Hotel Complex, demolish a dwelling, and erect a Wellness Centre, staff accommodation and a flat. I understand the revised scheme is to make alterations to a protected building.

The proposed amendments to the previously approved plans are listed in Section 2 of the planning application letter, dated 27th November 2024, from James Le Gallez at Strategic Planning & Property Ltd. It is also confirmed at point 4.1 of the same letter that “These proposed works only include the removal of modern or mixed materials features in order to restore a two-storey open void longhouse design and traditional exterior finishes.”

I confirm that I have no comments or objections regarding the proposed works.

However, I would recommend that conditions attached to previous permissions granted for the overall works at this site, which were recommended by this office, are carried over and attached to any consent given for this application. Specifically, I would ask that Conditions 12 (CEMP), 13 (Noise from plant/equipment) and 14 (lighting) attached to FULL/2024/0276 are applied in full.

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

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 historic fabric of the protected building, 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. Permission was granted on 26/09/2023 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 (application reference FULL/2023/1338). A further permission was subsequently granted on 22/03/2024 for variations to the revised scheme (approved under application reference FULL/2023/1338) to increase the floor area of the store area/plant and link extension and alterations to the external staircase, materials and fenestration (Ref: FULL/2024/0276).

Under the application the subject of this report, planning permission is sought for further revisions to the works previous approved under application reference FULL/2023/1338. The proposal incorporates the following alterations to the protected building:

- Removal of the top sections of the northwest and southeast gables to wall plate level (to assist the thatch roof and chimney installation) to be replaced precisely, reusing the granite to match the remainder of the gables;
 - o The scheme also proposes to install a blockwork chimney breast with void only in the northwest gable.
- To rebuild both chimneys in the northwest and southeast gables to be set within the thatched roof;

- To remove all modern cement pointing from the walls of the protected building and roadside walls and to replace with traditional lime mortar;
- To remove the small extract vents (6 in total), attached cabling, existing signboards, speakers and down pipes and make good any holes on the southwest (front) facing elevation using granite and pointing to match existing;
- To remove all modern cement render, bitumen flashings, modern brickwork and brickwork infills to be removed from the front (southwest) and rear (northeast) elevations and replace with reused granite (from site) and lime mortar;
- To remove the plywood shutters to the front (southwest) of the building;
- By hand carefully remove the modern granite section that forms the top of the front (southwest) elevation. This entails removing a section circa 400mm to 500mm in height, the granite will be carefully set aside and re-used in the rebuilding.
 - o The tops of the walls will be capped with sand/cement mortar, with a secondary polyethene capping to prevent water ingress;
- Remove two ground floor modern cross walls which contain modern cement and brick, retaining any useable granite found for future re-use;
- Remove the existing stone, and cement render surrounding the two granite piers to the rear of the building. Once removed rebuild these granite piers up to first floor level re-using granite set aside on the site; and
- Internally remove two chimney breasts and the remaining sections of modern floor.

The Authority also has a duty under Section 34 of the Law to wherever possible ensure the special interest of a protected building is not harmed and to pay special attention to preserving the protected building's special characteristics. This duty is encapsulated in IDP Policy GP5 which supports proposals to extend or alter a protected building where the development proposed does not have an adverse effect on the special interest of the particular protected building or its setting. The policy states that in all cases proposals must accord with other relevant policies of the IDP.

As part of the application a supporting design statement has been submitted which provides a history of the building, further details on its current condition and the remedial works proposed. This document together with the details shown on the application drawings demonstrate that the proposal will restore the building to its original form and materiality, by carefully removing elements of modern fabric (some of which such as the cement render and mortar can compromise the structural integrity of traditional buildings such as this) back to the original granite work and externally reinstating with traditional materials on a like for like basis using traditional construction techniques. Existing granite will be retained on site for re-use where possible. An additional report has been submitted by a structural engineer (dated December 2024) which confirms that the internal elements proposed to be removed/cutback as part of this proposal would not undermine the structure or compromise the stability of the southwest facing elevation.

Although the proposal does include the removal of parts of the original fabric of the building (such as sections of the two gable ends and the top 400mm section of the wall to the front elevation) these alterations are required to reinstate a thatched roof, to protect the existing walls and structural integrity of the building from further decay.

Overall it is considered that the works will preserve and enhance the special interest of this building and any harm caused would be outweighed by the reasonable aspirations of the property owner and the contribution the development would make to the economic objectives of the States of Guernsey.

By removing modern materials and reinstating traditional materials using traditional construction techniques, the proposal will enhance the overall character of the surrounding Conservation Area in accordance with the requirements of the Law and policy GP4 of the IDP.

Other than those referred to above no other changes to the scheme as previously approved are proposed as part of this application. The proposal would therefore cause no greater impact on the amenities of adjoining residents or on highway safety.

The application is acceptable in relation to the above policies and other material planning considerations and it is recommended that planning permission be granted with a condition included to ensure that this permission forms a variation to permission reference FULL/2023/1338 to ensure that all of the relevant conditions of that permission are applied.

Date: 13/02/2025

