

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: Change of use of ground floor from General Retail (Use Class 10) to Coffee Shop (Use Class 12), erect awning and signs to east elevation and internal alterations (Protected Building).

LOCATION: Ground Floor, 1 North Pier Steps, St. Peter Port.

APPLICANT: Coffee King (Guernsey) 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: 25/02/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/01/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JM Design Limited - 2423-01 PD/01, Smith signs - v3-31.01.25.
& JMD Architecture letter dated 09/01/2025

Application Ref: FULL/2025/0065

Property Ref: A200220000

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.This permission permits the use of the site to be used as a takeaway coffee shop with no cooking on the premises as stated and in accordance with the details provided in the JMD Architecture letter dated 09 January 2025 and for no other purpose including any other in Retail Use Class 12 of the Land Planning and Development (Use Classes) Ordinance, 2017, or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance.

Reason - To make sure the development takes the form hereby permitted, to define the permission and for the avoidance of any doubt.

Expiry Date: This permission will cease to have effect on 25/02/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, the advertisements to which this permission relates are non-illuminated. Any form of illumination, whether by external or internal means, will require a separate grant of planning permission.

Planning permission is not granted for the air conditioning unit to the front of the premises. Should this need to be replaced then a separate grant of planning permission would be required.

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/2025/0065
Property Ref: A200220000
Valid date: 10/01/2025
Location: Ground Floor 1 North Pier Steps St. Peter Port Guernsey
GY1 2LF
Proposal: Change of use of ground floor from General Retail (Use Class 10) to Coffee Shop (Use Class 12), erect awning and signs to east elevation and internal alterations (Protected Building).
Applicant: Coffee King (Guernsey) 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 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. This permission permits the use of the site to be used as a takeaway coffee shop with no cooking on the premises as stated and in accordance with the details provided in the JMD Architecture letter dated 09 January 2025 and for no other purpose including any other in Retail Use Class 12 of the Land Planning and Development (Use Classes) Ordinance, 2017, or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance.

Reason - To make sure the development takes the form hereby permitted, to define the permission and for the avoidance of any doubt.

INFORMATIVES

For the avoidance of doubt, the advertisements to which this permission relates are non-illuminated. Any form of illumination, whether by external or internal means, will require a separate grant of planning permission.

Planning permission is not granted for the air conditioning unit to the front of the premises. Should this need to be replaced then a separate grant of planning permission would be required.

OFFICER'S REPORT

Brief Description of the site:

The site known as '1 North Pier Steps' is a small ground floor retail premises comprising a couple of rooms previously used as a candy shop and then more recently as a vape shop. The façade is located directly south of Pier Steps and faces east towards the harbour. The steps are to the north and other buildings are attached to the south and west with, The Quay to the east. The property is located in the St Peter Port Main Centre Inner Area, Conservation Area, Harbour Action Area and within a Core retail Area as defined in the Island Development Plan. The building is a Protected Building.

Relevant History:

A pre-application late last year.

Existing Use(s):

Retail use class 10: general retail.

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:

MC6: Retail in Main Centres
MC10 Harbour Action Area
GP4: Conservation Areas
GP5: Protected Buildings
GP8: Design
GP9: Sustainable Development

Consultations:

The Office of Environmental Health and Pollution Regulation

'I have reviewed the proposed plans for change of use which were received by email on

24th January, and I do not wish to raise any objections to the proposals. However, the applicant recognises that there are limitations at this premises and the covering letter to the application states 'All food available for purchase will be limited to that which can be prepared off site and safely stored on site within a 'fresh' timeframe'. As there is no mechanical ventilation other than at the shop entrance, I recommend that food provision is restricted to 'retail sale' which may include the reheating of individual portions of food, unless sufficient additional ventilation is provided.'

Conclusion/Brief comment:

This application is for a change of use from general retail (use class 10) to a take-away coffee shop (retail use class 12), plus to erect an awning and three external signs and minor internal alterations within the protected building.

Given the location of the site within a Main Centre and away from residential properties, there are no issues relating to the amenities of nearby uses resulting from the proposed change of use which is therefore considered to be acceptable.

The proposals would not prejudice the outcomes or inhibit the implementation of any approved Local Planning Brief for the Harbour Action Area and complies with Policy MC10 in this respect.

There has previously been an awning over the front entrance and the proposed awning will match the previous awning and will use the same fixing points to the building. This will be the same for the two tall rectangular signs either side of the

door which will be non illuminated. The proposal would therefore not impact on the special interest of the protected building or effect the character or appearance of the surrounding Conservation Area. The signs and awnings are considered to be acceptable.

The third sign will be a 0.6m x 0.9m (approx.) blackboard sign which will be attached to the front façade of the building north of the entrance. This seems to be an appropriate and acceptable sign as it is wipeable and not illuminated.

At present on the front of the building there is an air-conditioning unit above the entrance door which will be covered by the awning. A document in the property history file, dated October 2020, states that the air-conditioning unit had already been in place for a period of more than 4 years. Therefore, the unit is immune from enforcement action, but remains unlawful in planning terms. Should the air-conditioning unit require replacing a planning application will be required.

The proposals are considered to not have any detrimental impacts on the special interest of the building, the special character and appearance of the surrounding conservation area, nor will they have any adverse effects on neighbour amenity.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

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: 19/02/2025

