

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: Extend and alter at ground floor, 1st floor and 2nd floor levels and relocate external steps to east (rear) elevation.

LOCATION: Cobo Bay Hotel, Cobo Coast Road, Castel.

APPLICANT: Nut Tree 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: 04/04/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 26/02/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd - 7530-03 B1, B2, B3, B4, B5, B6A

Application Ref: FULL/2025/0329

Property Ref: D01587B000

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.No part of the hereby approved extension shall be occupied until a scheme showing the provision to be made for secure and undercover bicycle parking has been submitted to and agreed in writing by the Authority, and the agreed scheme has been fully implemented. The provision for bicycles shall be retained at all times.

Reason - To encourage the use of bicycles as an alternative to the car and to ensure that new staff accommodation is served by adequate bicycle provision.

5.Prior to the approved staff accommodation being brought into use for the first time, the kitchen, living space, W.C and laundry facilities within the extension, shall be fully completed and made operational in accordance with the approved plans.

Reason - To ensure the provision of adequate facilities and level of amenity for the occupants of the building.

6.For the avoidance of doubt, this decision authorises the ground, first and second floor accommodation hereby permitted to be used as ancillary or ordinarily incidental to the authorised use of the hotel, and shall only be used for staff accommodation for Cobo Bay Hotel.

Reason - to clearly define the permission and to ensure that the approved accommodation is used by staff employed by and associated with Cobo Bay Hotel only and for no other purpose to ensure that the permission is ancillary or incidental to the principal use of the hotel.

Expiry Date: This permission will cease to have effect on 03/04/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

In light of the Office of Environmental Health and Pollution Regulation's comments, it is advised that the new toilets should not open directly into a food room as indicated on drawing 7530-03 B2 in the interests of food safety.

In light of the Office of Environmental Health and Pollution Regulation's comments, the food preparation facilities approved do not comply with the current guidance for shared accommodation. Once new housing standards legislation is enacted, the applicant should be made aware that the Office of Environmental Health and Pollution Regulation may apply a licence condition requiring the licensed controller of the staff accommodation to provide 2 meals a day to all occupants of the accommodation, including non-work days, and to make alternative meal provision on days when the hotel kitchen is not available instead of providing additional food preparation space and facilities. This will be controlled under separate legislation by the Office of Environmental Health and Pollution Regulation.

In respect of Condition 5, it is advised that the cycle storage should make provision for 12 cycles.

Please note that the grant of planning permission does not override the need to comply with any other relevant legislation, and your attention is drawn to the forthcoming legislation in respect of premises of multiple accommodation which will be administered by the Office for Environmental Health and Pollution Regulation.

It is brought to your attention that the application site is located within a flood risk area, it is therefore recommended that the approved extension is adapted or modified in such a way to improve its resilience to coastal flooding, such a doorway flood barrier or creating a stepped entrance, or a demountable flood barrier for the site in general. It is also recommended that all electrical equipment proposed in the new electrical room should be installed at a high level to improve its resilience to coastal flooding.

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/2025/0329
Property Ref: D01587B000
Valid date: 26/02/2025
Location: Cobo Bay Hotel Cobo Coast Road Castel Guernsey GY5 7HB
Proposal: Extend and alter at ground floor, 1st floor and 2nd floor levels and relocate external steps to east (rear) elevation.

Applicant: Nut Tree 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. No part of the hereby approved extension shall be occupied until a scheme showing the provision to be made for secure and undercover bicycle parking has been

submitted to and agreed in writing by the Authority, and the agreed scheme has been fully implemented. The provision for bicycles shall be retained at all times.

Reason - To encourage the use of bicycles as an alternative to the car and to ensure that new staff accommodation is served by adequate bicycle provision.

5. Prior to the approved staff accommodation being brought into use for the first time, the kitchen, living space, W.C and laundry facilities within the extension, shall be fully completed and made operational in accordance with the approved plans.

Reason - To ensure the provision of adequate facilities and level of amenity for the occupants of the building.

6. For the avoidance of doubt, this decision authorises the ground, first and second floor accommodation hereby permitted to be used as ancillary or ordinarily incidental to the authorised use of the hotel, and shall only be used for staff accommodation for Cobo Bay Hotel.

Reason - to clearly define the permission and to ensure that the approved accommodation is used by staff employed by and associated with Cobo Bay Hotel only and for no other purpose to ensure that the permission is ancillary or incidental to the principal use of the hotel.

INFORMATIVES

In light of the Office of Environmental Health and Pollution Regulation's comments, it is advised that the new toilets should not open directly into a food room as indicated on drawing 7530-03 B2 in the interests of food safety.

In light of the Office of Environmental Health and Pollution Regulation's comments, the food preparation facilities approved do not comply with the current guidance for shared accommodation. Once new housing standards legislation is enacted, the applicant should be made aware that the Office of Environmental Health and Pollution Regulation may apply a licence condition requiring the licensed controller of the staff accommodation to provide 2 meals a day to all occupants of the accommodation, including non-work days, and to make alternative meal provision on days when the hotel kitchen is not available instead of providing additional food preparation space and facilities. This will be controlled under separate legislation by the Office of Environmental Health and Pollution Regulation.

In respect of Condition 5, it is advised that the cycle storage should make provision for 12 cycles.

Please note that the grant of planning permission does not override the need to comply with any other relevant legislation, and your attention is drawn to the forthcoming legislation in respect of premises of multiple accommodation which will

be administered by the Office for Environmental Health and Pollution Regulation.

It is brought to your attention that the application site is located within a flood risk area, it is therefore recommended that the approved extension is adapted or modified in such a way to improve its resilience to coastal flooding, such a doorway flood barrier or creating a stepped entrance, or a demountable flood barrier for the site in general. It is also recommended that all electrical equipment proposed in the new electrical room should be installed at a high level to improve its resilience to coastal flooding.

OFFICER'S REPORT

Site Description:

The application site comprises a detached three storey hotel building situated to the east of Cobo Coast Road.

The application site is situated within the Cobo Local Centre as defined in the Island Development Plan.

In 2019, planning permission was granted to erect an extension and replace balustrading to the west (front) elevation, and extend the building at second floor level to the east (rear) elevation. The approved extension was to accommodate management of the hotel as set out in application FULL/2019/1808.

Relevant History:

PREA/2024/2018	Proposed extension to create new restaurant with sunset bar above, additional staff accommodation to rear, 6 hotel bedrooms to third floor.	Pre-application enquiry
PREA/2022/2379	Remodelling and extension of hotel to create additional bedrooms, bar, restaurant and staff accommodation	Pre-application enquiry
FULL/2019/1808	Erect extension and replace balustrade to west (front) elevation and extend at second floor to east (rear) elevation.	Granted
PREA/2019/0906	Extend and alter hotel; raise roof line to form additional accommodation; extend off the rear balcony; erect beach bar to front; alter facade including replacement railings and install cladding.	Pre-application enquiry

Existing Use(s):

Cobo Bay Hotel - Serviced visitor accommodation (Visitor economy use class 7).

Brief Description of Development:

Planning permission is sought to extend and alter the building at ground floor, 1st floor and 2nd floor level, and relocate external steps to the east (rear) elevation of the hotel.

It is noted in the covering letter that the proposed extension is to provide 12 bedrooms for staff accommodation at Cobo Bay Hotel, with a mix of single and double occupancy.

The ground floor includes 4 bedrooms, 2 en-suites, 1 shower room, W.C., shared living space, laundry area and kitchen facilities.

4 bedrooms with 2 en-suites, and 1 shower room, W.C., shared living space and kitchen facilities are proposed on first floor level.

4 bedrooms with 2 en-suites, and 1 shower room and W.C., shared living space and kitchen facilities are proposed on the proposed second floor.

The staff accommodation proposed is separate from the rest of the hotel and each floor is accessible by an internal staircase.

It is also proposed to block up existing openings on the south elevation of the building to serve as new toilet facilities for the hotel.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

LC6(A) Visitor Accommodation in Local Centres - New, Extension, Alteration or Redevelopment of Existing Uses

GP8 Design

GP9 Sustainable Development

Supplementary Planning Guidance – Parking Standards and Traffic Impact Assessment (2016)

Representations:

None.

Consultations:

The Office of Environmental Health and Pollution Regulation's comments:

"I have reviewed the proposed plans for Cobo Bay Hotel which were received by email on 11th March 2025 and there are a number of issues of concern that I must raise.

Construction Environmental Management Plan (CEMP)

Due to the size of the development and proximity of local domestic properties. I recommend that the Planning Authority apply the below CEMP condition to any permission granted.

Prior to any demolition a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Authority. Agreed details shall be carried out as approved unless otherwise agreed in writing by the Authority. At a minimum the following should be included:

I. A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any considerate constructor or similar scheme)

II. A scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust management, vibration, site traffic and deliveries to and from the site.

III. Details of hours of construction including all associated vehicular movements.

IV. Details of the construction compound.

V. A plan showing construction traffic routes.

The construction shall be carried out in accordance with the approved CEMP.

Food Safety

The plans show two new toilets off the drinks store, the toilets must not open directly into a food room.

Staff Accommodation

I note that the ground floor kitchen may be shared between up to six occupants, and the first and second floor kitchens are each shared by up to seven occupants. The plans show one sink and a hob in each kitchen.

While the food preparation facilities do not comply with the current guidance for shared accommodation, the applicant should note that new housing standards legislation, which will include the licensing of houses in multiple occupation, was approved by the States of Deliberation in March 2025. At the point of this legislation coming in to effect, the Office of Environmental Health and Pollution Regulation would be minded to apply a licence condition requiring the licensed controller of the staff accommodation to provide 2 meals a day to all occupants of the accommodation, including non-work days, and to make alternative meal provision on days when the hotel kitchen was not available instead of providing additional food preparation space and facilities.

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

Please do not hesitate to contact me at the above address should you require any additional information regarding this matter."

Summary of Issues:

- Whether the design, scale, mass, siting, form and materials of the proposed development is acceptable.
- Whether the proposed use of the extension is acceptable.
- The impact of the development on the character and appearance of the area.
- The impact of the development on neighbour amenity.

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).**

Policy LC6(A) supports proposals to extend, alter or redevelop existing visitor accommodation establishments in a Local Centre, provided the scale is appropriate to a Local Centre and would not undermine the vitality of either of the Main Centres, and the facilities are ancillary to the principal use as visitor accommodation.

The proposed development is proportionate and in keeping with the overall scale, form and mass of the hotel. Whilst the extension will undoubtedly increase the mass and bulk of the building, the impact is focused towards the rear of the premises, away from coastal public views, and has been designed to reflect the architectural style and appearance of the hotel. Consequently, the extension adopts an acceptable standard of design by virtue of its scale, form, massing, siting and materials. The proposal takes a similar scale, form and appearance to that approved under FULL/2019/1808, particularly on the east elevation.

Whilst the extension will result in additional overlooking and shadowing to the north of the application site, the harm caused is not considered to be significant for the purposes of Policy GP8 and GP9 when taking into account the level of existing level of shadowing and overlooking and the relationship to the neighbouring property (Violet Lodge).

The proposed extension will serve as staff accommodation for the hotel and therefore is considered to be ancillary to the principal use of the site. It is also of a scale that is appropriate to the Local Centre, and would not undermine the vitality of the Main Centres. The application accords with Policy LC6 (A).

The proposal would also not have a detrimental impact on the character of the area or visual amenity.

Appropriate conditions should be attached to the decision to ensure that suitable bi-cycle parking is provided in light of Supplementary Planning Guidance – Parking Standards and Traffic Impact Assessment (2016), all staff accommodation created is

specific to Cobo Bay Hotel only, and that all facilities to accommodate new staff shall be completed and made operational prior to the occupancy of the new extension.

All other alterations are acceptable and supported under Policy LC6(A).

Policy GP9 requires proposals for new development, and refurbishment, extension and alteration of existing buildings to demonstrate that they have been designed to take account of energy and resources, paying particular attention to sustainable development, waste management matters and climate change.

Information has been submitted which demonstrates that sustainable development principles have been considered in accordance with the requirements of Policy GP9.

Whilst the proposed extension is sited within a flood risk area and the application has not explicitly demonstrated how the proposal has been designed to be resilient to coastal flooding, it is considered to be unnecessary to require that the design of the extension be substantially altered given that the majority of the building is already susceptible to the effects of coastal flooding.

It is however recognised that the access to the central staircase is located on the rear (south) elevation of the extension and is served by one entry point which will help to limit the extension's susceptibility to flooding. Although through an informative it is reasonable to bring this aspect to the attention of the applicant/agent to improve its resilience to climate change. Moreover, all electrical equipment proposed in the new electrical room should be installed a high level for the same reasons.

Other matters:

In light of the Office of Environmental Health and Pollution Regulation's comments, it is not considered necessary nor reasonable to attach a planning condition for a *Construction Environmental Management Plan (CEMP) in this particular case when taking into account the scale and type of development proposed and the likely impact on neighbouring residents, particularly when compared to the approved scheme in 2019 (FULL/2019/1808)* which did not require such action.

Moreover, food safety is not a material planning consideration, nor is guidance for shared accommodation with regards to food preparation facilities given that these are controlled under current and forthcoming legislation. Both these matters however should be attached to the decision through an informative to reiterate the comments of the Office of Environmental Health and Pollution Regulation.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Date: 04/04/25

