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 part of ground floor from Offices (Use Class 16) to cafe (Use Class 11) (Protected Building).

LOCATION: Mill Place, Rue Du Pre, St. Peter Port.

APPLICANT: Kimmeridge Holdings 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: 15/08/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/05/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Axis Mason: 4774 010 P6 & 4823 050 P1

Application Ref: FULL/2025/0712

Property Ref: A406440000

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.

Expiry Date: This permission will cease to have effect on 14/08/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-
Please contact the Office of Environmental Health and Pollution Regulation to discuss food safety requirements prior to any structural works or operations taking place.

This permission does not relate to the display of any sign or advertisements. A separate permission will be needed for any such display.

This decision relates only to the change of use outlined in the description of the proposal set out above. Should any alterations be required (external or internal) that would alter or be attached to the external fabric of the protected building then please contact the Planning Service for confirmation of the need for any further planning permission.

Please ensure that you notify the Planning Service in writing of the date on which the change of use takes place. Once the change has been made the property will be classified as shown above. Failure to notify the Planning Service as required may lead to delay in any future property search or use class enquiry resulting from incorrect classification of the property.

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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2025/0712
Property Ref:	A406440000
Valid date:	20/05/2025
Location:	Mill Place, Rue Du Pre, St. Peter Port, Guernsey, GY1 1LT
Proposal:	Change of use of part of ground floor from Offices (Use Class 16) to cafe (Use Class 11) (Protected Building).
Applicant:	Kimmeridge Holdings Ltd

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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.

INFORMATIVES

Please contact the Office of Environmental Health and Pollution Regulation to discuss food safety requirements prior to any structural works or operations taking place.

This permission does not relate to the display of any sign or advertisements. A separate permission will be needed for any such display.

This decision relates only to the change of use outlined in the description of the proposal set out above. Should any alterations be required (external or internal) that would alter or be attached to the external fabric of the protected building then please contact the Planning Service for confirmation of the need for any further planning permission.

Please ensure that you notify the Planning Service in writing of the date on which the change of use takes place. Once the change has been made the property will be classified as shown above. Failure to notify the Planning Service as required may lead to delay in any future property search or use class enquiry resulting from incorrect classification of the property.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a detached office building situated to the east of Rue du Pre and to the west of Park Lane. Surrounding the site the area comprises a mixture of uses with residential, retail and commercial premises.

The site is situated within a Main Centre Inner Boundary and Conservation Area as designated in the Island Development Plan. The exterior of the property only is protected.

Relevant History:

FULL/2024/0538	Install replacement windows and doors, replace roof coverings, dormer roof coverings. Erect bike store, install air conditioning units and 2 enclosures to east (rear) elevation. Install signage to south elevation, remove railings and install lighting and planters to west and south elevations, alterations to hardstanding (Protected Building).	Granted 07/10/2024
FULL/2022/0079	Install replacement windows (Protected Building).	Granted 21/04/2022

FULL/2019/0401	Install new window and replace door on east elevation of building (protected building)	Granted 08/04/2019
FULL/2016/2996	Re-slate roof and re-roof existing captains dormer window, rebuild chimney, re-point exterior granite walls and install replacement uPVC gutters and downpipes (protected building).	Granted 10/02/2017

Existing Use(s):

Office – Use Class 16

Assessment: *(Tick as appropriate)*

no representation	✓	visual amenity acceptable	✓
accords with policy	✓	no material neighbour impact	✓
within curtilage	✓	traffic not affected	✓
design acceptable	✓		

Policies considered most relevant:

Island Development Plan policies:

MC4(A): Office Development in Main Centres
MC6: Retail in Main Centres
GP4: Conservation Areas
GP5: Protected Buildings
GP8: Design
GP9: Sustainable Development

Consultations:

<u>Office of Environmental Health and Pollution Regulation</u>

By letter dated 3rd July 2025 stated the following. *"I have reviewed the proposed plans for the above mentioned property to be changed from Use Class 16 Offices to Use Class 11 Café which were received by email on 20th May 2025 and I do not wish to raise any objections to the proposals.*

I would strongly urge the applicant to contact the Office of Environmental Health and Pollution Regulation to discuss food safety requirements prior to any structural works or operations taking place.

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

Conclusion/Brief comment:

Planning permission is sought to change the use of part of the ground floor of the building (south suite 1) from office (Use Class 16) to be used as a café (Use Class 11). The floor area involved in the change of use equates to a total of 98m^2.

This site is within a Main Centre Inner Area where Policy MC4 of the IDP makes provision for the change of use away from office accommodation where the floorspace is less than 250sqm. The floor area of the south-suite (the area of the building that is the subject of this application) taken in isolation falls below the 250m^2 policy threshold. If, however, the building were used/operate as a single office building spanning multiple floors then the combined the office floorspace would exceed the 250m^2 provision. As part of the initial planning submission, no evidence was submitted to confirm how the office floorspace operates and the application was subsequently deferred to seek confirmation.

Information has been received from the planning agent which confirms that the building lay empty for a number of years prior to the current owners acquiring it in 2024, with the intention of refurbishing the office space and creating a café area. The information confirms that from the outset the office accommodation on the upper floors would be offered/occupied on a floor by floor basis or as individual office suites on each floor, with the ground floor comprising a single standalone office unit (north suite 1) with a café (subject to planning) in the south suite given its size, and the presence of the main entrance to the building/shared lobby/space separating the two areas. Based on the additional information the proposal would comply with criterion (b) of Policy MC4(A) and the principle of the loss of office floorspace is acceptable in this instance.

Policy MC6 supports the creation of new convenience and comparison retail floorspace In Main Centre Inner Areas and the scheme would therefore contribute to the vitality and viability of this area. Furthermore, the proposal would be compatible with the variety of uses found in the locality when considering the health and well-being of neighbours in accordance with Policy GP8.

No external changes are proposed and the change of use would not result in harm to the character and appearance of the Conservation Area when considering Policies GP4 and GP9 of the IDP.

Deferral of the application also sought confirmation as to whether there will be any air extract or other mechanical and electrical equipment which will be required to pass through the external walls of the protected building. Confirmation was received from the planning agent that no new air handling equipment, drilling or alterations to any of the external walls will be required, as existing air handling plant previously installed at the site will be utilised. With no changes proposed, internally or externally, the change of use will not result in harm to the original fabric or special interest of the Protected Building in accordance with Policy GP5.

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: 14/08/2025