

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 1st, 2nd, 3rd and 4th floors to 6 residential units, alteration to shop front of 25 Commercial Arcade, internal alterations and associated works (Protected Building).

LOCATION: 25 & 26 Commercial Arcade, St. Peter Port.

APPLICANT: Chastleton Property 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: 25/11/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/05/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Architecture: 24-1541/PD/01A, PD/02A, PD/03B, PD/04B & PD/05B.

Application Ref: FULL/2025/0854

Property Ref: A30068A000 + A300690000

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.Prior to removal of the existing shop front, large-scale drawings (1:5 sections) of the new door and shop front glazing bars to No.25 shall be submitted to and agreed in writing by the Authority. The works shall then be completed in accordance with the agreed details.

Reason - To preserve the special quality and appearance of this Protected Building.

5.Prior to installation, the external appearance of all new vents and extractors shall be submitted to and agreed in writing by the Authority. The works shall then be completed in accordance with the agreed details.

Reason - To preserve the special quality and appearance of this Protected Building.

6.The roof vents hereby approved shall be fitted flush to the roof plane in which they are installed.

Reason - To preserve the special quality and appearance of this Protected Building.

7.Inserted partitions shall be cut around and not through existing joinery.

Reason - To ensure the retention of historic fabric to preserve the special interest of the protected building.

8.Prior to its removal, a photographic record of the historic staircase shall be submitted to and agreed in writing by the Authority.

Reason - To record the form, design and appearance of the existing historic staircase.

Expiry Date: This permission will cease to have effect on 24/11/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

It is noted that there are concerns with the use of a cementitious render but it would be for the agent/specialist (and their professional indemnity insurance) to specify a system that would not result in damp being sealed into the walls.

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/2025/0854
Property Ref: A30068A000 + A300690000
Valid date: 22/05/2025
Location: 25 & 26 Commercial Arcade St. Peter Port Guernsey GY1 1JX
Proposal: Change of use of 1st, 2nd, 3rd and 4th floors to 6 residential units, alteration to shop front of 25 Commercial Arcade, internal alterations and associated works (Protected Building).

Applicant: Chastleton Property 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 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. Prior to removal of the existing shop front, large-scale drawings (1:5 sections) of the new door and shop front glazing bars to No.25 shall be submitted to and agreed in writing by the Authority. The works shall then be completed in accordance with the agreed details.

Reason - To preserve the special quality and appearance of this Protected Building.

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8. Prior to its removal, a photographic record of the historic staircase shall be submitted to and agreed in writing by the Authority.

Reason - To record the form, design and appearance of the existing historic staircase.

INFORMATIVES

It is noted that there are concerns with the use of a cementitious render but it would be for the agent/specialist (and their professional indemnity insurance) to specify a system that would not result in damp being sealed into the walls.

OFFICER'S REPORT

Site Description:

The site comprises of two mid-terraced 4½ storey buildings fronting onto Commercial Arcade. The whole of the exterior of 25 Commercial Arcade and the whole of 26 Commercial Arcade, interior and exterior, are protected buildings and the site is surrounded by neighbouring protected buildings. The site is within the St Peter Port Conservation Area, Core Retail Area and Main Centre Inner Boundary.

Relevant History:

24/10/2024 – PREA/2024/1343 – Pre-application enquiry regarding convert and refurbish buildings to create residential units.

Existing Use(s):

Retail

Brief Description of Development:

Planning permission is requested to change the use of the 1st, 2nd, 3rd and 4th floors to 6 residential units comprising of 4 bedsits and two, 2 bedroom flats. The works include alterations to the shop front of 25 Commercial Arcade to create an additional door to provide a separate access to the residential units, install an automatic opening vent in the rear roofslope and internal alterations.

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

Policy MC2: Housing in Main Centres and Main Centre Outer Areas

Policy MC6: Retail in Main Centres

Policy GP4: Conservation Areas

Policy GP5: Protected Buildings

Policy GP8: Design

Policy GP9: Sustainable Development

Policy IP6: Transport infrastructure and support facilities

Policy IP7: Private and Communal Car Parking

Policy IP9: Highway Safety, Accessibility and Capacity

Representations:

None

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. Whether the principle of new housing is acceptable.
2. Design and impact of the development on the special interest of the protected buildings.
3. Design and impact of the development on the character and appearance of the Conservation Area.
4. The impact of the development on the amenity of people living in the area.

5. Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings.

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).**

Whether the principle of new housing is acceptable

The site is within the St Peter Port Core Retail Area. Policy MC6 supports the change of use away from retail at upper floor levels where the new use would contribute to the vitality and viability of the Core Retail Area. As set out in Policy MC2, the majority of the Island's housing supply is to be provided within and around the Main Centres. The site is located in the St Peter Port Main Centre and does not form Important Open Land. As such Policy MC2 supports the development of the site for housing where it accords with all other relevant policies of the Island Development Plan and where able to the site provides an appropriate mix and type of dwellings.

The proposal would retain retail uses at ground floor level and the proposed use of the upper floor levels for 6 residential units would contribute to the vitality and viability of the Core Retail Area, in accordance with Policy MC6. Taking into account the nature of the development (the conversion of an existing protected building within the town centre), the proposed mix of 1 and 2 bedroom homes would provide an appropriate mix and type of dwellings whilst making an effective and efficient use of land.

Design and impact of the development on the special interest of the protected buildings

The Authority has a duty under Section 34 of the Land Planning and Development (Guernsey) Law, 2005, to secure so far as possible that the special interest of a protected building is preserved, and with respect to a protected building or any other building or land in the vicinity of a protected building, to pay special attention to the desirability of preserving the protected building's special characteristics and setting. This duty is encapsulated in Policies GP5 and GP8.

With regards to the external alterations to No.25, additional information was provided during the course of consideration to understand the extent of alterations involved in the reconfiguration of the shop front and how this would affect the awning mechanism. The additional information clarifies that the awning and mechanism would be retained but late 20th century glazing and bars would be replaced to match the existing. The proposal amounts to a reasonable aspiration of the owner that outweighs the harm to the special interest given that it would provide access to enable the independent use of upper floors and it affects modern glazing and bars, in accordance with Policy GP5. The installation of the rooflight style

vent would have a minor impact and a slight effect on the special interest of the protected building which would constitute a reasonable aspiration provided that the vents are flush fitting.

No external alterations are proposed to No.26 but the extent of internal alterations to No.26 would amount to partial demolition. The internal alterations include the removal of stairs, the removal of doors, the installation of lining to external walls, relocate and insert additional partitions and the lining of ceilings. During the course of consideration revised plans and additional information was submitted to explain and justify and/or to reduce the impact of the works on the special interest of the protected building, such as the retention of some of the existing internal doors. The proposed alterations will cause some harm to the special interest of the protected building, particularly the removal of the stairs and the resultant impact on the plan form of the building. However, the creation of 6 residential units will result in economic and other benefits in the form of its contribution towards meeting the strategic housing need and enhancing the vitality of the main Centre through increasing the population of this town centre location. On balance, the benefits of the development would outweigh the harm caused to the special interest of the protected building and the proposal accords with Policy GP5.

It is noted that there are concerns with the use of a cementitious render but it would be for the agent/specialist (and their professional indemnity insurance) to specify a system that would not result in damp being sealed into the walls.

The proposed external alterations are relatively minor in nature, they would reflect the existing in appearance and materials and the proposal would have no adverse effects on the setting of protected buildings within the vicinity.

Design and impact of the development on the character and appearance of the Conservation Area

The external alterations to the property involve the reconfiguration of the shop front of No.25 to create a separate door to the residential units and the installation of smoke vents to the rear elevation.

The alterations to the shop front would reflect the existing in appearance and materials. Although prominent in the street scene, the proposed alterations are designed such that the effect on the character, historic and architectural interest and appearance of the Conservation Area would be conserved. The roof vent would not be publicly visible. The proposed alterations including the change of use of the upper floor levels would conserve the character and appearance of the Conservation Area, in accordance with Policy GP4.

The impact of the development on the amenity of people living in the area

The proposal includes a number of windows on the upper floors which would cause a degree of overlooking and intervisibility with neighbouring properties, particularly to the south. However, given the dense urban grain of the locality, the relationships between the proposed building and neighbours to the north and south are

acceptable in terms of the separation distance and the degree of intervisibility between windows. The proposed use of the upper floors for residential purposes is unlikely to have a material adverse effect on the amenities of neighbouring residents.

Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings

The health and well-being of the occupiers of the development requires consideration as set out in part (d) of Policy GP8 and explained in more detail in Annex I (Amenities). The objective to build at high densities is to be balanced with, but not override, the need to create acceptable living environments. Although there are no rigid standards for amenity provision, the factors to be considered include internal space provision, privacy, aspect/outlook, access to external open space and daylight/sunlight.

The proposal would create 4 bedsits and two, 2 bedroom flats, all of which would substantially exceed Guernsey Technical Standards minimum internal space standards. All of the units include south elevation glazing which would provide adequate daylight and sunlight and 4 of the 6 units are dual aspect. Despite a degree of intervisibility issues with neighbouring properties, the units are likely to have an adequate level of privacy. No private or communal open space is provided on-site but it is acknowledged that there is communal open space within a reasonable walking distance and all of the units would have an outlook over Commercial Arcade.

The application site is within the historic core of St Peter Port where the buildings are developed closely to each other. It is not therefore expected that the levels of amenity would be as high as for other dwellings in less developed areas and a residential development on this site would not be expected to achieve high standards against all the amenity considerations. On balance, the proposal is likely to provide a satisfactory quality of residential environment for future occupiers, in accordance with Policy GP8.

Other Matters

No on-site car parking is provided but considering the nature of the development and the proximity to the services and amenities of St Peter Port (within walking distance), on-site car parking would not be necessary in this instance. No on-site bicycle storage is provided but due to the constraints of the site (including its location within Commercial Arcade), and the nature of the development (the conversion of a protected building within a Core Retail Area), it is accepted that it would not be practical to provide on-site bicycle storage in this instance. In addition, it is noted that there are covered public bicycle stands within the vicinity which could be used by residents of the development. The proposal is unlikely to result in any impact on road safety and traffic management.

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.

It is recommended that the application is approved.

Date: 17/11/2025