

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: Convert building from radio station to 4 residential units and associated works.

LOCATION: 12 Westerbrook Complex, South Quay, St. Sampson.

APPLICANT: Mr N Miah

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: 26/03/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/09/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Architecture Limited - 25-1631 WD/01C, WD/02 & Flood Risk Mitigation Strategy Statement from CBL Consulting dated 16/02/2026.

Application Ref: FULL/2025/1410

Property Ref: B00316C000

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 the commencement of any work authorised under this permission, full details of the flood mitigation measures as detailed in the submitted Flood Risk Statement and a management plan, shall be submitted to and approved in writing by the Authority. The approved measures shall be installed as agreed and maintained and retained in perpetuity.

Reason: To ensure the permanent protection of the dwellings from flood risk as per the requirements of the Harbour Action Area Local Planning Brief Policy 6.1

5.No part of the building or development hereby permitted shall be used or occupied until the agreed scheme for cycle and bin storage has been fully implemented. The provision for cycles shall not be used for any other purpose.

Reason - To encourage the use of bicycles as an alternative to the car.

Expiry Date: This permission will cease to have effect on 25/03/2029 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/2025/1410
Property Ref: B00316C000
Valid date: 22/09/2025
Location: 12 Westerbrook Complex South Quay St. Sampson Guernsey GY2 4QQ
Proposal: Convert building from radio station to 4 residential units and associated works.

Applicant: Mr N Miah

RECOMMENDATION - Grant: Planning Permission with Conditions:

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OFFICER'S REPORT

Brief Description of the site:

The site is located to south of the Bridge, accessed from South Quay to the north or via the rear service road to the south. The north facing section of the building is historic, pre-1900, while the rear section was constructed between 1996-2001.

The building was last used as a radio station, but has now been vacant for approx. 1 year.

The site is located in the Main Centre Inner Boundary, the Conservation Area and within the Harbour Action Area.

Relevant History:

N/A

Existing Use(s):

16 Office - admin

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:

Island Development Plan

GP4- Conservation Area

GP8- Design

GP9- Sustainable Design

MC2- Housing in Main Centres and Main Centre Outer Areas

MC4(A): Office Development in Main Centres

MC10: Harbour Action Area

Harbour Action Area Local Planning Brief

Policy 6.1- New development and necessary flood mitigation.

Conclusion/Brief comment:

On the basis of the information provided, the existing building would comprise a single planning unit, and the internal accommodation (at approx. 248sqm) is very slightly less than 250sqm. Policy MC4(A) supports the change of use such accommodation where the floor space is less than 250sqm. It is also noted that the accommodation has been identified as tertiary within the Office Audit 2020, despite the Main Centre location.

The change of use away from office is therefore considered to meet the terms of Policy MC4(A).

Policy MC2 would support the change of use of the accommodation for residential purposes. The proposed accommodation (2 x one beds and 2 x two bed units) provides a suitable mix and type of dwellings in accordance with the latest States Strategic Housing Assessment, would exceed the requirements of the Guernsey Technical Standards and the recommended guidelines set out in the UK nationally described space standards by DCLG. Units 2-4 have dual outlook and are served by reasonable to good levels of fenestration. Unit 1 has only a single outlook, as position of the building adjacent to the neighbouring property limits fenestration to the east side of the building. The appropriate design and layout, along with alterations to form additional separate entrance doors for units 1 and 2, however ensures that the amenity is acceptable.

Whilst no external amenity space is available, this is common in the Main Centre location.

One car parking space per unit is provided with an additional visitor space. Covered, secure cycle storage is also provided for each unit. In locations such as this, within the Main Centre and with good access to facilities and public transport, the provision of parking is not a requirement. The proposal would therefore be acceptable under Policy IP7 (Private and Communal Car Parking).

The introduction of residential accommodation within the building may result in slight overlooking of other residential dwellings to the north west, however these are sufficiently far away to prevent and significant harm, with the majority of views from the new units being over existing parking areas. Whilst the nature of the overlooking impact to neighbouring properties may change from that that existed when the building was in use as an office, it is not considered that any such impact would be so substantially different or greater that permission could be refused on that ground alone.

The application proposes some physical works, including the removal of the external stairs and installation of two new external entrance doors. These alterations are considered acceptable in relation to Policy GP4, and there would be no adverse impact on the character or visual amenity of the area.

The site is located within the Harbour Action Area (HAA) and so Policy 6.1 of the Local Planning Brief (LPB) is relevant. This considers that all new development in HAAs must be protected against flooding (coastal, surface water, sewers, groundwater) and include mitigation measures for safety, residual risk, and emergency access/evacuation.

The design should be based on vulnerability classification and lifespan, and the change of use proposed (office to residential) increases the vulnerability of the development to Class B which requires permanent defences with no added risk to others.

On this basis, the application was deferred to request a flood risk statement and appropriate, permanent flood defences in accordance with Policy 6.1 of the HAA LPB, the application was deferred again to allow this to be revised to fully address all forms of flooding and revised plans to indicate evacuation routes.

The revised submitted flood risk statement explores a variety of options, and the revised design includes raised floor levels and thresholds, from between 75mm and 125mm, along with surface water drainage channels introduced across each entrance. As the entrance to Unit 3 and 4 is via a lower courtyard area, a sump and pump is also proposed to the courtyard to additional protection. However, the proposal generally relies on a potential, but not yet approved future flood protection scheme which may not be in place for many years which could leave the developers at risk if the units are occupied prior to this. In addition, it is not understood how the raising of floor of the lower courtyard will result in any benefit and it may be more beneficial to add an extra step at the top to raise the level compared to the surrounding car park which would assist in deflecting any surface water away. While the sump and pump would require active maintenance and would not operate in the event of a power failure. It would also fail in a coastal flooding event as surrounding surface water drainage systems would be overwhelmed. To address this, prior to first occupation, additional details of the proposed defences/mitigation measures included in the flood risk statement will be required, and their installation and maintenance will be secured by condition in order to ensure the provision of permanent suitable flood risk defences.

The design does not include ground floor bedrooms which should clearly be avoided in a flood risk area, and the layout does not easily lend itself to future adaption to allow ground floor bedrooms. The principle of occupants seeking refuge upstairs is acceptable, although no details of appropriate means of escape have been provided, appropriately opening windows for each unit would be required for means of escape in building control approval.

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

The proposal is not considered to have a harmful impact on the Conservation Area, and so is in accordance with Policy GP4.

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: 20/03/2026

