

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 and 1st floor offices (Use Class 15/16) and 2nd floor flat (Use Class 2) to dwelling (Use Class 1) and associated works.

LOCATION: 15 St Georges Place, St. George's Esplanade, St. Peter Port.

APPLICANT: Zekavica Investments

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: 22/12/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 05/11/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Brian R Martel - 4295.02.01, 02, 03

Application Ref: FULL/2025/1689

Property Ref: A108030000

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 in connection therewith details relating to the proposed storage arrangements for the flood barrier shown on the approved plans shall be submitted to and agreed in writing by the Authority. The barrier and approved storage shall be provided on site prior to the first occupation of the dwelling hereby approved and shall thereafter be retained at all times.

Reason - To provide protection to future occupiers should a flood event occur.

Expiry Date: This permission will cease to have effect on 21/12/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Given that the site is located in an area at risk of flooding it is advisable that advice be sought from a competent professional in relation to the layout of accommodation, the barrier height and building loadings for retaining water.

The applicant/developer should contact the Planning Service should any aspect of the scheme change as a result of consultation with a competent professional in the area of flood risk as a revised application/variation application or minor amendment to the scheme may 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/2025/1689
Property Ref: A108030000
Valid date: 05/11/2025
Location: 15 St Georges Place St. George's Esplanade St. Peter Port
Guernsey GY1 2BH
Proposal: Change of use of ground and 1st floor offices (Use Class
15/16) and 2nd floor flat (Use Class 2) to dwelling (Use Class
1) and associated works.
Applicant: Zekavica Investments

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 the commencement of any work in connection therewith details relating to the proposed storage arrangements for the flood barrier shown on the approved plans shall be submitted to and agreed in writing by the Authority. The barrier and approved storage shall be provided on site prior to the first occupation of the dwelling hereby approved and shall thereafter be retained at all times.

Reason - To provide protection to future occupiers should a flood event occur.

INFORMATIVES

Given that the site is located in an area at risk of flooding it is advisable that advice be sought from a competent professional in relation to the layout of accommodation, the barrier height and building loadings for retaining water.

The applicant/developer should contact the Planning Service should any aspect of the scheme change as a result of consultation with a competent professional in the area of flood risk as a revised application/variation application or minor amendment to the scheme may be required.

OFFICER'S REPORT

Site Description:

15 St George's Esplanade is a two-storey building with a mansard roof and accommodation in the roofspace served by dormers. The property has a mixture of timber and aluminium sash windows and the site frontage is currently open. A flat roof extension exists to the rear but is screened from view by existing neighbouring development. The building contains office accommodation which, in part, is accessed via a staircase from the adjoining building but which is shown to be demolished as part of this scheme thereby separating the two units.

The site is located a Main Centre Outer Area and Conservation Area as designated in the Island Development Plan. The site is also situated in an area at risk of flooding (10% probability (1 in 10 year) current day flood extent).

Relevant History:

Pre-application advice was sought in relation to the division of the office space into two flats.

Existing Use(s):

Offices
Flats

Brief Description of Development:

The application relates to the change of use of the ground and first floor offices and the second floor flat to a dwelling. The accommodation proposed comprises of a bedroom, study, utility and bike/bin store on the ground floor, two bedrooms and a bathroom at first floor level and a kitchen, living room and dining room at second floor level. The scheme incorporates the replacement of upper floor windows to the front elevation and the introduction of flood mitigation measures comprising removable timber barriers to the front site boundary.

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

Island Development Plan policies:

MC2: Housing in Main Centres and Main Centre Outer Areas
MC4(A): Office Development in Main Centres
GP4: Conservation Areas
GP8: Design
GP9: Sustainable Development
IP6: Transport infrastructure and support facilities
IP7: Private and Communal Car Parking

Annex I: Amenities

Bicycle Parking Advice Note

Representations:

None.

Consultations:

None.

Summary of Issues:

The key issues in this case relate to the principal of the proposed change of use, the size of unit proposed, the amenities of future occupiers and matters relating to cycle parking and flood risk.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting Conservation Areas, to secure so far as possible that the special historic, architectural, traditional or other special characteristics are preserved.

Policy MC4(B): Office Development in Main Centre Outer Areas makes provision for the change of use of office accommodation to other uses where specific criteria are met. In this case the ground and first floor accommodation is in office use and does not exceed 250sqm in compliance with MC4(B).

Policy MC2 supports new residential development and seeks to secure a mix and type of properties on a site although it is acknowledged that dwelling types will be harder to achieve when dealing with existing buildings but this may not preclude a variety of unit sizes. The reuse of an existing, underutilised building represents efficient and effective use of land. The objective to build at high densities must be balanced against, and will not override, the need to create acceptable living environments (Policy GP8 and Annex I of the IDP).

Policy GP12 relates to the protection of existing housing stock. This case would not see the loss of a residential unit but the enlargement and reconfiguration of a flat into a three-storey three/four bedroom house so in this regard Policy GP12 is met.

Under GP8 consideration must be given to making efficient and effective use of land. The existing flat appears to be accessed via the existing staircase through the building and given the position of that staircase it would require the entire building layout, including a new staircase, to be altered for a change of use into multiple units of residential accommodation to be provided. It also likely impacts on the suitability of the existing flat for independent use given the issue of security to areas of the office accommodation/sensitive information etc (although first floor office space was entirely separate from the residential accommodation in the building). The floorspace of the building and position of the staircase does not readily lend itself to subdivision into smaller residential units, those units would be particularly small (ground floor c. 33sqm, first floor c. 37sqm and second floor c. 37). These would only just meet the current minimum accommodation sizes for dwellings and flats (Part G of the GTS) and would fall well short of the best practice DCLG internal space standards. As a 3/4 bedroom house however, the living environment, amenities and

health and well-being of future occupiers will be better than for multiple small flats and is assessed in more detail below.

Annex I seeks opportunities for development occupiers to benefit from interesting or attractive outlook within the urban centre identified for example, as views over urban open spaces, public parks, landscape features or longer vistas over the townscape. All new developments are encouraged to provide adequate levels of daylight and sunlight to all rooms, or at least principal rooms, gardens, balconies or communal external open spaces.

Rooms are single aspect although the proposed dwelling will be dual aspect with an element of fenestration to the rear in addition to principal fenestration to the front façade. The layout of accommodation is such that aspect and outlook from the bedrooms, study, lounge and dining room will be towards the sea with functional accommodation to the rear facing onto the access/parking associated with the adjoining commercial site. The scheme will offer future occupiers with satisfactory privacy and will not have an unacceptable impact on the amenities of surrounding buildings.

An area of defensible space exists to the front of the property, separating it from the public footway. The frontage area hardsurfaced and available for parking. The submission does set out however, that flood defence measures will be introduced in that area which may, in some instances, impact on parking provision however, given that the maximum parking standards apply in this location and the sustainable location of the site, along a main road/bus route there would be no planning requirement for any off-road parking to be provided.

The Annex states that the value of external open space becomes increasingly important in higher density development with all development having safe and convenient access to it. The site does benefit from a yard area (with an existing WC proposed to be demolished thereby enlarging that space). The yard will be of some, limited, use for future occupiers when considering that this property could be occupied by a family however, the site is in a sustainable location with good connections to the beach, seafront and other areas of public open space so is considered satisfactory in this regard.

Another important factor is internal space provision and the accommodation would exceed Part G of the Building Regulations and also the DCLG space standards (which represent best practice offering good internal space provision for future occupiers) for a four bedroom 5 person dwelling.

The accommodation would be served by a staircase only which would likely preclude access for wheelchair users. Nonetheless, the scheme should offer access to the upper floors by ambulant disabled and also, the internal layout/room uses could be developed for adaptations at a later date to meet the changing needs of occupiers.

The scheme has also sought to facilitate refuse and cycle storage towards the rear of the building which although may not be convenient (bringing cycles through the house) does demonstrate that the matter has been considered. There would also be scope for cycle storage to be provided at the site frontage when considering the current exemption rights or possibly in the rear yard area subject to access rights.

The replacement windows as set out in this submission would accord with the aims of GP4, GP8 and GP9 of the IDP.

Having regard to Policy GP9 which seeks to address the matter of flood risk the scheme does not incorporate a flood statement by a competent professional but has sought to address flood risk through the introduction of a removal flood barrier to the front boundary to help protect occupants including those in the ground floor bedroom(s)/study proposed.

The scheme does however, incorporate ground floor bedroom(s) and given that a flood event may occur without warning and when people are sleeping could leave people at greater risk. The building is sufficient in size that the accommodation could be laid out differently and the Planning Service cannot control/prevent occupants using ground floor accommodation for sleeping.

The scheme does introduce measures to help in the event of flooding with a flood barrier proposed although the scheme has not provided details to confirm that the barrier has been designed to ensure it is of an appropriate height to protect occupiers in this location against a flood event nor that a structural engineer has verified that the building can support the loadings for retaining water at its proposed height. None of these matters would prevent the grant of planning permission as the detailed/technical design of the barrier can be addressed by the developer. Should the height of the barrier change from that shown on the approved drawings then this would need to be resolved with the Planning Service. The scheme does not include details regarding the storage of the barrier when not in use and its provision and storage details can be controlled by condition to proportionately address the requirements of Policy GP9.

Taking into account all the matters set out in this report it is recommended permission is granted for the proposed development.

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 22/12/2025

