

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 second floor level to residential flat (Use Class 2). Alterations to shop front, install signage including double sided projecting sign to north-east (front) elevation, repairs to chimney and external render, internal and fenestration alterations and relocate communal bin to north-west elevation (Protected Building).

LOCATION: 14 Smith Street, St. Peter Port.

APPLICANT: Pragnell Guernsey 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: 02/04/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/01/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Coloini + Lane: 25050/100 Rev 02, /1000 Rev 2, /1001 Rev 2, /1002 Rev 2, /1003 Rev 2, /1004 Rev 2, /1005 Rev 2, /1006 Rev 2, /1007 Rev 03, /2000 Rev 02, /2001 Rev 02, /2002 Rev 01, /3000 Rev T01.
Benbow Group: 4569-00.01.

Application Ref: FULL/2026/0012

Property Ref: A200740000

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.Following the demolition of the rear wall (as shown to be demolished on the south elevation drawing) all stone shall be retained on site and shall be reused in the reconstruction of the wall to ensure that it is built on a like for like basis to match the size, shape, type of mortar and method of laying as the existing wall. Should any additional stone be required a sample shall be submitted to and approved in writing for use by the Authority before being brought to site or used in the development. The development shall be carried out only in accordance with the agreed details.

Reason - To ensure the development is acceptable and does not have any detrimental impact on the special interest of the protected building.

5.Prior to the commencement of any work in connection therewith, full details of the replacement door shall have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - To ensure the development is acceptable and does not have any detrimental impact on the special interest of the protected building.

6.The render where required to be repaired shall be completed in such a way to match the remainder of the render on that part/section of the building/wall in question.

Reason - To ensure the development is acceptable and does not have any detrimental impact on the special interest of the protected building.

7. Prior to the commencement of any work in connection therewith, detailed drawings at a scale of 1:10 or 1:20 of the proposed new shop front which clearly demonstrates the materials to be used and how the windows will be fabricated and installed to match the detailing of the existing windows, shall be submitted to and approved in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - To ensure the development is acceptable and does not have any detrimental impact on the special interest of the protected building.

8. For the avoidance of any doubt no permission is hereby conferred for overflows from the roof through the existing parapet.

Reason - To ensure the development is acceptable and does not have any detrimental impact on the special interest of the protected building.

9. For the avoidance of any doubt other than the replacement glass light in part of the rear door (labelled RD1 on the approved drawings) no permission is granted for the replacement of any of the windows in the rear elevation of the property.

Reason - To ensure the development is acceptable and does not have any detrimental impact on the special interest of the protected building.

10. For the avoidance of any doubt permission is hereby granted to replace the glass of the window labelled W14 on the approved drawings and the sashes are to be retained and repaired unless full details of a replacement window has been submitted to and approved in writing by the Authority.

Reason - To ensure the development is acceptable and does not have any detrimental impact on the special interest of the protected building.

Expiry Date: This permission will cease to have effect on 01/04/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, the advertisements to which this permission relates are non-illuminated. Any form of illumination, whether by external or internal means, will require a separate grant of planning permission.

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/2026/0012
Property Ref: A200740000
Valid date: 15/01/2026
Location: 14 Smith Street St. Peter Port Guernsey
Proposal: Change of use of second floor level to residential flat (Use Class 2). Alterations to shop front, install signage including double sided projecting sign to north-east (front) elevation, repairs to chimney and external render, internal and fenestration alterations and relocate communal bin to north-west elevation (Protected Building).

Applicant: Pragnell Guernsey 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. Following the demolition of the rear wall (as shown to be demolished on the south elevation drawing) all stone shall be retained on site and shall be reused in the reconstruction of the wall to ensure that it is built on a like for like basis to match the size, shape, type of mortar and method of laying as the existing wall. Should any additional stone be required a sample shall be submitted to and approved in writing for use by the Authority before being brought to site or used in the development. The development shall be carried out only in accordance with the agreed details.

Reason - To ensure the development is acceptable and does not have any detrimental impact on the special interest of the protected building.

5. Prior to the commencement of any work in connection therewith, full details of the replacement door shall have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - To ensure the development is acceptable and does not have any detrimental impact on the special interest of the protected building.

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7. Prior to the commencement of any work in connection therewith, detailed drawings at a scale of 1:10 or 1:20 of the proposed new shop front which clearly demonstrates the materials to be used and how the windows will be fabricated and installed to match the detailing of the existing windows, shall be submitted to and approved in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

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impact on the special interest of the protected building.

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Reason - To ensure the development is acceptable and does not have any detrimental impact on the special interest of the protected building.

INFORMATIVES

For the avoidance of doubt, the advertisements to which this permission relates are non-illuminated. Any form of illumination, whether by external or internal means, will require a separate grant of planning permission.

OFFICER'S REPORT

Site Description:

The application site comprises a three storey corner building located half way up Smith Street on the southwest side of the street. The building faces northeast directly onto Smith Street, with Le Marchant Street running along the northwest elevation. There is a very small yard to the southwest and an attached building to the southeast. The property is located in the St Peter Port Main Centre Inner Area, Conservation Area and Core Retail Area as defined in the Island Development Plan. The whole of the building (interior and exterior) is also protected.

Relevant History:

FULL/2025/1865	Change of use from opticians to general retail (Use Class 10) (Protected Building).	Granted 28/01/2026
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Existing Use(s):

The ground and first floor of the premises were previously used by an opticians (Sui Generis) with the upper floor (second floor) as an office. Permission has recently been granted to change the use of the ground and first floor into general retail use. The upper floor appears to remain in office use.

Brief Description of Development:

Planning permission is sought to change the use of the second floor level to provide a flat (residential Use Class 2), for alterations to the shop front, to install signage and a double sided projecting sign to the front elevation, to repair the chimney and external render, for internal alterations and to relocate the bin store.

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;

GP5: Protected Buildings;

GP8: Design;

GP9: Sustainable Development;

IP6: Transport infrastructure and support facilities; and

IP7: Private and Communal Car Parking

Representations:

None

Consultations:

States Office of Environmental Health and Pollution Regulation

By letter dated 23rd February 2026 stated the following:

"I have reviewed the proposed plans to change the use of the second floor level to a residential flat at the above address. There is currently insufficient information submitted for me to comment fully on this application.

It is noted that the proposed dwelling would be located above a jeweller at ground floor level, with an office and a private gallery space on the first floor below the proposed flat. As such, the development introduces a new noise-sensitive residential use in close proximity to commercial activities.

The submitted information refers to the provision of acoustic insulation; however, no details have been provided regarding the specification, performance standards, or the level of sound insulation to be achieved between the commercial premises and the proposed residential unit.

To assess the application from an Environmental Health and amenity perspective, further information is required, including:

- *Details of the proposed acoustic insulation measures between the commercial uses and the residential accommodation*
- *Confirmation of the acoustic performance standards to be achieved (including airborne and impact sound insulation)*
- *Confirmation of the operating hours of the commercial and gallery uses below, including any evening or weekend activities*

Without this information, it is not possible to determine whether the proposed development would provide an acceptable level of residential amenity or adequately protect future occupants from noise associated with the existing commercial uses.

It is therefore recommended that the applicant submits the further information specified above and details of any noise mitigation measures prior to the determination of the application."

Following deferral of the application revised plans were submitted to address the issues raised and OEHPR was reconsulted and by letter dated 19th March 2026 stated the following:

"I have reviewed the additional information submitted by the applicant, in response to my letter dated 23rd February 2026.

It is noted that the proposed dwelling would be located above a retail unit (jeweller) at ground floor level, with an office and a private gallery space on the first floor below the proposed flat. As stated in my previous letter, the development therefore introduces a new noise-sensitive residential use in close proximity to commercial activities. As such, it is the role of this office to protect residential amenity, and I recommend that the following conditions are attached to any consent given for the application:

- *The first floor of the premises shall be used solely for purposes ancillary to the retail use on the ground floor and shall not be used for events, functions, exhibitions open to the public, or any other gathering involving members of the public.*
- *The retail premises (including both the ground floor and first floor areas) shall only be open to customers between the hours of 09:30 and 17:30 Monday to Saturday and shall not operate on Sundays or Bank Holidays.*

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

Summary of Issues:

- The principle of the proposed change of use;
- The impact of the alterations on the fabric and special interest of the Protected Building and the design and appearance of the external alterations

- and their likely effect on the character and appearance of the Conservation Area; and
- Whether the proposed residential unit would provide a good standard of living accommodation for future occupiers

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.

The principle of the proposed change of use

The second floor of the premises is currently vacant and was previously used for office purpose, accessed via a separate stairwell. The floorspace of the upper floor comprises a total of 50m². The IDP makes provision under Policy MC4(A) for the change of use away from office accommodation where the floorspace is less than 250sqm.

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 a Main Centre Inner Area and does not form Important Open Land. As such policy MC2 supports the proposed change of use of the upper floor into a residential flat 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 proposed accommodation provides a one bedroom flat which meets the current housing needs and will make the most effective and efficient use of the site in accordance with planning policy. Given the floorspace involved it would not be possible to provide a mix and type of units in this instance. The principle of the proposed change of use is therefore considered to be acceptable.

Whether the proposed residential unit would provide a good standard of living accommodation for future occupiers

The proposed unit will exceed the Guernsey Technical Standards minimum internal space standards and would exceed the best practice minimum internal space standards which are published on the Authority's website. The unit will be dual aspect and would receive adequate sunlight and daylight into principal rooms. Levels of privacy would be similar to other neighbouring properties on the upper floors of other buildings in the vicinity and would be adequate given its central town location and the character of built development in the area. Although the flat is located on the second floor and would not provide access for all abilities, it would make the

most effective and efficient use of the site and involves the change of use of an upper floor of an existing protected building in a tightly confined sight where provision of a lift or alternative access arrangement would be unachievable.

To the rear of the site is a private courtyard, it is not clear as part of the application whether this will be allocated to the upper floor flat. Irrespective the site is located within a Main Centre Inner Area within town and is within walking distance of public open spaces that surround.

The comments raised by the States OEHPR and their request for conditions controlling the hours of use of the site and limiting the retail use of the first floor are noted. However, planning permission has already been granted for the change of use of the ground and first floor into retail use under application reference FULL/2025/1865 with no conditions controlling the hours of opening. Furthermore, the site is also within a core retail centre where the use of the sites for retail is encouraged to enhance the vitality and viability and the night time economies of the centres.

With regard to controlling the use of the upper floor of the unit, although it will be used as a private gallery associated with the retail function of the site, given the limited floorspace involved, the town centre location of the site and that policy MC6 recognises the beneficial role played by the active use of the upper floors (for uses including retail and residential) in enhancing the vitality and viability of the centre and nighttime economy, it would be unreasonable, and unjustifiable to control such activity.

Overall given its central town location, the proposal would provide a satisfactory quality of residential environment for future occupiers, in accordance with Policy GP8.

The impact of the alterations on the fabric and special interest of the Protected Building and the design and appearance of the external alterations and their likely effect on the character and appearance of the Conservation Area

The Authority has a duty under Section 34 of the Law to wherever possible ensure the special interest of a protected building is not harmed and to pay special attention to preserving the protected building's special characteristics. This duty is encapsulated in Policy GP5 which supports proposals to extend or alter a protected building where the development proposed does not have an adverse effect on the special interest of the particular protected building or its setting. The policy states that in all cases proposals must accord with other relevant policies of the IDP.

The site is also within a Conservation Area. 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. This is reflected in Policy GP4 which supports development that conserves, and where

possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area.

The application proposes external alteration to the existing building in the form of re-rendering the existing chimneys, repair to the south elevation wall (following removal of the buddleia) and replacement of the rear door in that elevation, alterations to fenestration (window frames to remain with only two windows required to be reglazed) and alterations to the shop front (including the installation of new advertisements and a hanging sign). Confirmation has been provided that the advertisements will be non-illuminated.

The external alterations are appropriately designed and the materials to be used will be in-keeping with the host building and the character of the area. Subject to conditions for the stone from the south elevation to be retained and reused in the rebuilding of the wall, for full details of the replacement door, and for full details how the shop front windows will be fabricated to retain the existing detail the alterations are considered to be acceptable and would not harm the special interest of the protected building or the character of the surrounding Conservation Area.

Internally the proposal includes alterations at ground, first and second floor level, which includes: the introduction of new partition walls, improvements to provide the required fire rating for Building Control, upgrading to ceilings and floors (to satisfy building regulations for sound and fire), new panelling/cutting back the existing plinths, new window guards, damp proofing and the removal of a bathroom to the basement. Internally the building has been refurbished and altered in the 1970's and there are minimal features of special interest that remain. However, the internal alterations have been designed and located sympathetically so as to ensure no harm is caused to any features that remain. Considering the above, the scheme complies with policies GP4, GP5 and GP8 in this respect.

Other issues

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.

No car parking spaces are provided in the application, however in central 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. With regard to cycle parking none has been provided however the site is close to communal cycle parking offered in Town and the proposal would therefore be acceptable under Policy IP7 (Private and Communal Car Parking). The courtyard could also be utilised to provided for covered bicycle parking if required in the future.

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 impact of the proposal on the protected building is assessed above, the proposal would not harm any protected monuments, trees or cause harm to any SSS's.

For the reasons contained within this report it is recommended that planning permission is granted subject to conditions.

Date: 26/03/2026

