

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 from office to 7 flats (Use Class 2) and a beauty salon (Use Class 10) and associated works.

LOCATION: Former Island Insurance, Lancaster Court, Forest Lane, St. Peter Port.

APPLICANT: MK Homes 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: 14/05/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/03/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTech Freelance Architecture: MK-26-2278-06A, -07A, -08B, -09A & -10A.

Application Ref: FULL/2026/0367

Property Ref: A112640000

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.Notwithstanding the details on the approved plans, the obscure glazed balustrade hereby approved to the juliette balcony serving apartment 6 shall be positioned at a minimum of 1.7m above the finished floor level, shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent) and shall be installed prior to the residential accommodation hereby approved is first brought into use. The balustrade shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

5. Notwithstanding the details on the approved plans the fenestration listed below shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent) and with the bottom sash/pane fixed shut (i.e. non-opening) both of which shall thereafter be retained at all times:

- Apartment 3 - 2 x bedroom windows (east facing)
- Apartment 4 - bathroom window (east facing)
- Apartment 5 - 2 x bedroom windows (west facing)
- Apartment 6 - bedroom 1 and bedroom 2/study windows (west facing) and kitchen and study windows (east facing)
- Apartment 7 - kitchen window (east facing)

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents and having regard to the current Building Regulations.

6.The 2 x three pane vertical windows in the east gable end serving apartment 7 shall have the lower two panes obscured with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent).

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

7. Prior to the commencement of any work in connection therewith details of the enclosed refuse and recycling store indicated on the approved plans shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details and the refuse store shall be fully completed prior to the first occupation of any part of the development hereby approved and shall thereafter be retained at all times.

Reason - In the interest of visual and residential amenity.

8. Notwithstanding the details submitted prior to the commencement of any work in connection therewith details for the provision of secure and covered cycle parking shall be submitted to and agreed in writing by the Authority, and no part of the development hereby permitted shall be used or occupied until the agreed scheme has been fully implemented and shall thereafter be retained at all times.

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

Expiry Date: This permission will cease to have effect on 13/05/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

This permission is given under the Land Planning and Development (Guernsey) Law, 2005. This decision does not override or prejudice any legal rights or constraints which exist in relation to the application site.

In relation to condition 9 the applicant/developers attention is drawn to the published guidance relating to Bicycle Parking:

<https://gov.gg/CHttpHandler.ashx?id=177499&p=0>

This published information should be used to help inform and guide the provision of appropriate cycle parking/storage to meet the needs of this development.

The applicant/developer would be encouraged to liaise with Building Control in relation to the approved development as aspects of this approved scheme may fail to meet the current Building Regulations. Of particular concern is apartment 5 where the means of escape windows cannot be introduced at this second floor level and without protected lobby spaces between the apartment entrance and bedrooms (apartment 5, 6 and 7).

Attention is drawn to the need to seek permission (variation application or minor amendment) to this scheme should the internal layout of accommodation deviate from the approved scheme).

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/2026/0367
Property Ref: A112640000
Valid date: 16/03/2026
Location: Former Island Insurance Lancaster Court Forest Lane St.
Peter Port Guernsey
Proposal: Change of use from office to 7 flats (Use Class 2) and a beauty
salon (Use Class 10) and associated works.
Applicant: MK Homes Limited

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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).

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Reason - In the interest of visual and residential amenity.

8. Notwithstanding the details submitted prior to the commencement of any work in connection therewith details for the provision of secure and covered cycle parking shall be submitted to and agreed in writing by the Authority, and no part of the development hereby permitted shall be used or occupied until the agreed scheme has been fully implemented and shall thereafter be retained at all times.

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

INFORMATIVES

This permission is given under the Land Planning and Development (Guernsey) Law, 2005. This decision does not override or prejudice any legal rights or constraints which exist in relation to the application site.

In relation to condition 9 the applicant/developers attention is drawn to the published guidance relating to Bicycle Parking:

<https://gov.gg/CHttpHandler.ashx?id=177499&p=0>

This published information should be used to help inform and guide the provision of appropriate cycle parking/storage to meet the needs of this development.

The applicant/developer would be encouraged to liaise with Building Control in relation to the approved development as aspects of this approved scheme may fail to meet the current Building Regulations. Of particular concern is apartment 5 where the means of escape windows cannot be introduced at this second floor level and without protected lobby spaces between the apartment entrance and bedrooms (apartment 5 , 6 and 7.

Attention is drawn to the need to seek permission (variation application or minor amendment) to this scheme should the internal layout of accommodation deviate from the approved scheme).

OFFICER'S REPORT

Site Description:

Lancaster Court is a mid-terrace building with accommodation over three floors and projecting the full depth of the plot and abutting buildings to the south in Smith Street. The property has a courtyard space to the east. The building has a rendered front façade with sash windows. Flat roof dormers are situated in the front roofslope.

The property is situated in a Main Centre and Conservation Area as designated in the Island Development Plan. There are protected buildings in the vicinity of the application site.

Relevant History:

Pre-application advice was sought in this case.

Existing Use(s):

Offices

Brief Description of Development:

The application relates to the change of use of the former Islands Insurance offices to seven flats across all floors and a beauty salon (Use Class 10) on the ground floor with associated works such as alterations to fenestration/new windows and doors, cycle storage etc.

The application has been accompanied by a letter from a planning agent addressing the relevant planning policies.

The application was deferred following concerns raised relating to the effect of the change of use on the amenities/privacy of adjoining residential properties and revised plans provided.

The ground floor is shown as being laid out as a beauty salon with five treatment rooms and small ancillary shop with associated facilities and a ground floor one bedroom apartment. An enclosed bin store is proposed within the covered accessway and cycle parking is proposed within the courtyard area. At first floor level, three apartments are proposed (2 x 2 bed and 1 x 1 bed) and at second floor level a further three apartments are proposed (1 x 1 bed, 1 x 2 bed and 1 x 2 bed + study).

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

MC2: Housing in Main Centres and Main Centre Outer Areas

MC4(A): Office Development in Main Centres

MC6: Retail in Main Centres

GP4: Conservation Areas

GP5: Protected Buildings (setting)

GP8: Design

GP9: Sustainable Development

Annex I

Bicycle Parking Advice Note

Representations:

Three letters of representation have been submitted objecting to the application and raising the following points:

- The development introduces new overlooking where none currently exists even though this is an urban environment where a degree of overlooking can be expected

- At present overlooking from neighbouring properties is limited due to the relative positioning and lower height of existing neighbouring windows, the screening effect of boundary walls/vegetation in the garden of 5 Forest Lane and views are generally indirect or oblique
- The development will result in a loss of privacy (private habitable rooms and garden) of various adjoining properties having an adverse impact on residential amenity as a result of the new windows in the east gable elevation and formation of a dormer with Juliette balcony at a higher level resulting in direct views of gardens, living rooms and bedrooms – the statement in the submission that “the impact of this change of use would not be substantially different from the previous use” is not true
- The existing building does not have windows in the east gable elevation serving habitable rooms (currently a boardroom/office)
- The scheme introduces new openings specifically designed to maximise outward views from a second floor living space – resulting in increased and continuous overlooking during evenings, weekends and early mornings
- The development should be refused or amended/redesigned – it would not be possible to screen upper floor views through planting or other boundary treatments
- The development will result in light, noise and disturbance to adjoining occupiers as a result of the change of use and the inclusion of the Juliette balcony – the change from 9am – 5pm office hours to residents accessing the building at all hours will disturb the existing peace of occupiers of properties in Forest Lane
- Consideration should be given to the operating hours of the beauty facility – any access outside standard office hours could introduce additional noise and privacy impacts for neighbours
- Under existing agreements, buildings 18 – 24 Le Pollet rely on, and have a right of way through, an emergency-only fire escape that runs through the courtyard of Lancaster Court and requires 24 hr access – the plans don’t appear to restrict access but this must be considered by Planning and Building Control

No further letters of representation were submitted following the receipt of revised plans.

Consultations:

None.

Summary of Issues:

The key issues in this case relate to the principle of the proposed change of use, the impact of external works on the character and appearance of the locality and the amenities of future occupiers and of neighbours of the development.

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.

Whether the loss of office accommodation and the principle of residential and retail development is acceptable in this location.

Policy MC4(A) does make provision for the change of use away from offices only where either the office floorspace is less than 250sqm or where the accommodation provides an unsatisfactory standard of accommodation that cannot easily be refurbished to meet modern needs and can be proven to have been actively and appropriately marketed unsuccessfully for 12 consecutive months. The application as originally submitted did not include marketing information however, following deferral this information was provided and the information from Watts & Co (dated 23/02/2026) means that criterion (a) of Policy MC4(A) has been satisfied and the loss of office accommodation at this site for an alternative use is acceptable.

Policy MC6 relates to retail in Main Centres and supports new comparison and convenience retail in this location providing a scheme accords with all other relevant policies. A beauty salon falls under Use Class 10 (general retail) as a comparison retail use and the change of use indicated to part of the ground floor of the building complies with policy.

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

External changes relate to fenestration within the courtyard area which and will not have a detrimental effect on the character or appearance of the surrounding Conservation Area (GP4 and GP8).

Policy MC2 supports housing development in Main Centre locations such as this, and the scheme proposes a mix of one and two bedroom units having regard to the current requirements set out in the SSHI.

Health and well-being

Policy GP8 however requires that the units created consider the health and well-being of the occupiers by means of providing adequate daylight, sunlight and private/communal open space, and directs proposals to be considered against Annex 1 of the Plan: Amenities.

New developments should be planned and built to support the health and well-being of occupants and users and maintain appropriate amenities for those of neighbouring property. Annex I of the IDP sets out that building at higher densities brings challenges with respect to ensuring reasonable amenities are provided. There must be a balance between the most effective and efficient use of land and the requirement to ensure that proposed living and working conditions are acceptable and that the higher density Main Centres, in particular, remain attractive places to live and work.

Whether the proposal would provide a good living environment for future occupiers

- Aspect/Outlook
- Daylight/Sunlight

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.

The Annex considers sunlight alongside daylight and their ability to enter a building will not, alone, be a determining factor when considering development proposals, providing that other amenities objectives are appropriately addressed. 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; these aspirations are qualified for sunlight by “where possible”. This reflects the constraints imposed by aspect relative to the movement of the sun, shading by existing development, and, in the case of converting existing buildings, its physical constraints.

Apartment 3 is the only accommodation that is single aspect, facing east however, the site to the north is, in part, undeveloped thereby offering greater sunlight/daylight and aspect for occupiers of apartment 1. The other apartments have dual aspect although some rooms are single aspect. Apartments 4 and 7 are primarily single aspect and north facing onto Forest Lane. A degree of obscure glazing is proposed to bedroom accommodation which faces residential apartments to the west at Nelson Place to offer a balance between aspect/outlook and privacy.

- Privacy

The Annex states that development will be expected to be designed with windows an adequate distance apart and / or suitably orientated to ensure that the level of privacy that could reasonably be expected to be enjoyed by an occupier is not adversely affected and that the use of obscure glazing alone to achieve privacy will not, normally, be considered acceptable.

The site is located in a central location where buildings have a tightknit arrangement which could impact on the privacy of future occupiers.

There is no unacceptable conflict between the ground floor uses and those surrounding uses/buildings in terms of privacy. Nor will there be an unacceptable relationship between the two uses proposed on site (retail/salon and residential).

There is also no unacceptable mutual overlooking between apartments within the development having regard to the reasonable amenities of future occupiers.

The matter of neighbour amenity is considered elsewhere in this report.

- Access to external open space

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.

Although none of the accommodation would include access to external open space it is noted that the site is sustainably situated, a short distance from the seafront and local areas of public open space. Given the size of units, it is also noted that it should be possible to provide space within the apartments for a tumble drier in lieu of external space for clothes drying. As such the scheme complies with Policy GP8 and Annex I.

- internal space provision

The units are generous in size when considering both the GTS and the DCLG space standards which represent best practice offering good internal space provision for future occupiers which contribute towards good design for the purpose of GP8 and Annex I.

- Accessibility and flexible accommodation

All floors are currently served by a staircase, which would not alter as a result of the development and would offer access to the upper floors by ambulant disabled. Without a lift there would be some barriers to accessibility for people of all ages and abilities but it is acknowledged that the layout of the units proposed could also be adapted at a later date to meet the changing needs of occupiers (e.g. grab rails in WCs/bathrooms, installation of hoists provided bedroom and bathroom ceilings are constructed in an appropriate manner and careful and appropriate siting of service controls) in accordance with the aims of Policy GP8.

- Conclusions

The different amenity objectives must be balanced with the objective of seeking to make maximum use of urban developments. Although the use of obscure glazing as

proposed in this case would have some impact on the amenities, health and well-being of future occupiers this must be balanced against the other amenity standards and overall the scheme complies with the aims of Policy GP8 a. and d.

Impact on neighbour amenity

- Beauty Salon

Concerns have been raised through the public consultation process regarding the proposed use. The site is however, located in an area with a mix of uses. Although the submission does not set out the proposed operating hours given the small number of treatment rooms even with some evening/weekend activity this would not represent a use that is incompatible with those surrounding the site or which would generate unacceptable noise and nuisance to the occupiers of surrounding properties. Many of the treatment rooms have no external windows/doors therefore the potential for harm is further limited. The retail/beauty salon element of the scheme therefore complies with Policy GP8 of the IDP.

- Residential

During the course of the application the scheme was amended in order to address overlooking of existing neighbouring properties with a greater degree of obscure glazing introduced to the fenestration within apartment 3 at first floor level. In that case there is a careful balance to be struck between privacy and outlook for occupiers. To obscure glaze the lower part of all windows in this apartment would likely be detrimental to the future occupiers of the accommodation therefore the Planning Service would seek to strike a balance and for the lower sashes in the bedroom to be obscure glazed and fixed shut leaving only two out of five windows clear glazed and serving the primary living accommodation.

With regard to the second-floor accommodation, the revised drawings refer to locked bottom panes but which can be opened in an emergency only (east and west elevations). The accompanying letter specifies that an emergency mechanism can be fitted (push pad emergency exit device) which will only be activated in an emergency. These would not be satisfactory to provide permanent fixed panes to these windows for privacy purposes.

In terms of the east facing fenestration at second floor level the existing mansard dormers are shown to be altered to form a larger window with juliette balcony to the living area. The revised drawings confirm that the kitchen windows in apartments 6 and 7 will obscure glazed and fixed shut. Confirmation is also provided that the juilette balcony balustrade and glazing behind, to e height of 1.6m from the finished floor level will also be obscure glazed. This will offer mitigation to the occupiers of adjoining buildings particularly when the users of apartment 6 are sat down in the apartment but would not preclude overlooking when the juliette balcony doors are open. The solution to this is to not require the doors themselves

to be obscure glazed but for the balustrade to be raised in height and for that to be obscure glazed, a matter that can be managed by condition.

It should be noted that windows, at second floor level, and with no exit onto a building/land within the same ownership and control could not be treated as means of escape windows for the Building Regulations. It is also noted that there are protected staircores in this building. Given this, there would not be a conflict between planning requirements (privacy) and the Building Regulations and the use of obscure glazing and fixed lower panes can be conditioned for the west facing second floor windows. It should be noted by the agent/developer however, that some alterations to the internal layout (door positions/size of protected lobbies/switching a bedroom for a bathroom) may be required to ensure that the second-floor accommodation complies with the Building Regulations and would also require updated drawings to be provided to the Planning Service at that time. Nonetheless, for the purposes of this planning application there would be no grounds on which to withhold permission in respect of the privacy/aspect elements of the second-floor accommodation, but obscure glazing and fixed panes can be controlled by condition.

With the alterations proposed/conditions recommended the scheme complies with Policy GP8 and Annex I of the IDP.

Cycle parking provision

The site is located in a highly sustainable location, within walking distance of local services and facilities.

The Parking Standards and Traffic Impact Assessment 2016 sets out cycle parking requirements for locations/uses such as are proposed at Lancaster Court. Given that the apartments would all be considered as more than three habitable rooms there should be a total of 14 secure and covered cycle spaces. Only 8 are shown but there may be space to accommodate more within the courtyard area without restricting access to the salon or neighbouring emergency stairs. This is a matter that can be addressed by planning condition.

It is noted that refuse storage space is proposed. Details of the means of enclosure have not been specified and can reasonably be required by condition in the interests of visual amenity and having regard to odour and nuisance having regard to visitors to the salon, occupiers of the development and neighbours adjoining the site.

Conclusion

In view of the above, and subject to planning conditions, it is recommended permission is granted. Conditions would include:

- Obscure glazed balcony screen

- Obscure and fix various windows to east and west elevations
- Refuse storage
- Cycle storage details

Informative notes should address the possible conflicts with the Building Regulations and the published guidance relating to cycle parking.

Comments relating to emergency access to adjoining sites are noted and are not indicated to be affected by the proposed development. The grant of planning permission does not interfere with any legal rights.

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: 11/05/2026

