

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 General Retail (Use Class 10) to cafe/bakery (Use Class 11) (Protected Building).

LOCATION: West End Bar, 2 Contree Mansell, St. Peter Port.

APPLICANT: Zeng YuHua

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: 08/05/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 31/03/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Application Site Location Plan, Block Layout Plan and floor plan

Application Ref: FULL/2026/0426

Property Ref: A302610001

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.

Expiry Date: This permission will cease to have effect on 07/05/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The application related to a Protected Building (PB509). This consent only establishes a change of use of the ground floor but without any physical alterations to the existing floorspace/layout etc.

Any physical changes to the interior and/or exterior of the Protected Building, including but not limited to extract fans, signage and interior alterations may need planning permission. Through a pre-application enquiry the Authority can provide advice any such proposed changes. Further details regarding this process can be found online: https://gov.gg/planning_building_permissions

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.

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/2026/0426
Property Ref: A302610001
Valid date: 31/03/2026
Location: West End Bar 2 Contree Mansell St. Peter Port Guernsey GY1 1HR
Proposal: Change of use from General Retail (Use Class 10) to cafe/bakery (Use Class 11) (Protected Building).

Applicant: Zeng YuHua

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.

INFORMATIVES

The application related to a Protected Building (PB509). This consent only establishes a change of use of the ground floor but without any physical alterations to the existing floorspace/layout etc.

Any physical changes to the interior and/or exterior of the Protected Building, including but not limited to extract fans, signage and interior alterations may need planning permission. Through a pre-application enquiry the Authority can provide advice any such proposed changes. Further details regarding this process can be found online: https://gov.gg/planning_building_permissions

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.

OFFICER'S REPORT

Site Description:

2 Contree Mansell is a three-storey building with shopfront at ground floor level and a mansard roof. The front, upper floor windows are sashes. The rear of the property is not visible given the position of other surrounding properties in Back Street.

The site is located in a Main Centre and Conservation Area as designated in the Island Development Plan. The property is protected.

Relevant History:

Pre-application advice was sought in this case.

Existing Use(s):

Retail
Flat

Brief Description of Development:

The application relates to the change of use of the ground floor retail unit (Use Class 10) to a café/bakery (Use Class 11). The application does not relate to any external alterations to the building such as signage or extract equipment.

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

MC6: Retail in Main Centres

GP4: Conservation Areas
GP5: Protected Buildings
GP8: Design
GP9: Sustainable Development

Representations:

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

Noise pollution

- there are flats directly above the premises and the kitchen/preparation area will be at the rear of the property which will mean early morning hours of work to prepare fresh goods resulting noise disturbance
- This kitchen/preparation area is in a back part of the premises, directly below the first-floor kitchen window of the flat above
- There will be considerable noise nuisance for surrounding flats

Safety

- To add another café could cause more congestion to the area – there are already several cafes in the area with at least five within walking distance of the application site (Mocca, 2 Frenchies, Charity Café, Camilla's at the Mill, The Pelican, Lola etc.)
- Another café will cause more health and safety concerns
- The kitchen would be directly below the kitchen of the upper flat and in the event of a fire that breaches the roof it will impact on the flats above and properties around with significant damage resulting from commercial grade equipment if a fire occurred

Other

- There is an existing café/diner which causes general noise in the morning which can be heard from flats including patrons and from the coffee machine
- Outside tables of the existing nearby establishment are concerningly close to the road/cars
- Concerns raised regarding external works to create windows and to install kitchen extract equipment in relation to the nuisance during building work but also noise and fire risks once the extract equipment is installed
- Permission will not be granted to access the adjoining property for works to the west end of the building

Consultations:

Office of Environmental Health and Pollution Regulation – have had a look at this and understand that our Food Safety Officer has spoken directly to the applicant. The applicant has advised that this application purely relates to change of use and they are aware that additional applications will be required for any kitchen extraction systems or chiller/air handling units.

As such we do not wish to make any comments in relation to this application and will await further details as part of any other applications made.

Summary of Issues:

The key issues in this case relate to the principle of the proposed use and the effect of the development on the character of the area, on neighbour amenity and traffic generation.

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 application proposes the change of use of the ground floor from retail (Use Class 10) to a café/bakery (Use Class 11). No external alterations are proposed in connection with the change of use and the scheme does not propose the inclusion of any new external extract equipment and as such the scheme complies with Policy GP4 of the IDP and will not result in undue harm to the setting of any protected buildings. As no internal changes are indicated to be required in this case the scheme would also comply with Policy GP5 in terms of the effect of a development on the special interest of a protected building.

The concerns raised regarding the proliferation of similar uses in the area is noted. Policy MC6 states that within the Main Centres, new convenience and comparison retail provision will be supported and encouraged and support is offered for alterations and redevelopment of existing retail premise. Policy MC6 therefore offers a gateway for the change of use proposed. Both the existing planning use and proposed planning use fall to be considered under the same policy but are separated within The Land Planning and Development (Use Classes) Ordinance, 2017 as being materially different, hence the need for permission.

The use is compatible with the mix of uses in the vicinity and will contribute to the vitality and viability of the Main Centre. Whether this will be a viable business given other café premises in the area is not a material planning consideration.

Policy MC6 stipulates that although alterations and redevelopment of existing retail premises will be supported a scheme must also comply with all other relevant policies in the Island Development Plan. Policy GP8 requires development proposals to consider the health and well-being of neighbours of a development. Given that this is an existing commercial/retail premises on the ground floor there is no

evidence to demonstrate that a change between one form of retail use and another will generate unacceptable harm to the amenities of surrounding occupiers. The use will not result in overlooking or loss of privacy to neighbouring occupiers. It is also noted that these historic buildings are grouped tightly together with those fronting Contree Mansell often attached to those in Back Street with little or no external space between these terrace properties. It is also noted that Merchant House, Back Street has extract equipment exiting at flat roof level to the west of the application site.

The kitchen area for preparation of food for sale etc. is small, less than 15sqm so will have limited scope for the degree of cooking that can be carried out, the number of people that could be working in that space etc. The submission refers to the proposed operator selling artisanal cakes, pastries, gelatos and drinks to eat in or take away. As an unrestricted retail use, at present, the premises could open early in the morning and late into the evening and the nature and scale of the proposed use is such that it would not be considered to generate a conflict with the surrounding residential properties and accords with the aims of Policy GP8. It should also be noted that the use runs with the building and not an applicant so should the current applicant vacate the premises another, different, café operator could move in without the need to apply for permission.

The concerns raised through the public consultation process regarding fire safety will be addressed through the Building Regulations and cannot prevent the grant of planning permission in this case. The application does not include any alterations to the building which could generate short term disturbance to enable the ground floor space to be brought back into active use and nor would this short-term activity be a reason to withhold planning permission. The activities of other surrounding businesses, including their tables and chairs being situated externally is also not relevant to the assessment of the application which relates specifically to no. 2 Contree Mansell.

Any issues and impacts associated with external alterations, be that new windows or extract equipment, would need to be considered in connection with an application for those works but cannot be taken into account in relation to this application which is for the change of use alone. In determining this application it should also be noted that this does not interfere with civil rights such as rights of access which will need to be resolved separately.

Taking into account all of the above it is recommended permission is granted.

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: 08/05/2026