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 floor from Tattoo parlour (Sui-Generis use) to bakery (Use Class 9).

LOCATION: Made by Fairies, Mansell Street, St. Peter Port.

APPLICANT: Mrs Julie Hodge

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: 06/08/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/06/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Create: 1018-1-001 Rev A, 1018-3-001 Rev A

Application Ref: FULL/2026/0770

Property Ref: A302810000

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. Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones.? Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014+A1:2019.

Reason - To protect the amenties of neighbouring residents.

Expiry Date: This permission will cease to have effect on 05/08/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-
Please see Environmental Protection and Food Safety comments which are enclosed as part of this decision with regards to the W.C and the proposed food storage/handling space.

Please note that should any external plant euqipment be required as part of the proposed business, then it is likely that a separate grant of planning permisison would 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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2026/0770
Property Ref:	A302810000
Valid date:	12/06/2026
Location:	Made by Fairies Mansell Street St. Peter Port Guernsey GY1 1HP
Proposal:	Change of use of ground floor from Tattoo parlour (Sui-Generis use) to bakery (Use Class 9).
Applicant:	Mrs Julie Hodge

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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. Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones.? Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014+A1:2019.

Reason - To protect the amenties of neighbouring residents.

INFORMATIVES

Please see Environmental Protection and Food Safety comments which are enclosed as part of this decision with regards to the W.C and the proposed food storage/handling space.

Please note that should any external plant euqipment be required as part of the proposed business, then it is likely that a separate grant of planning permisison would be required.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a tattoo parlour which was granted planning permission in 2021 (FULL/2021/0061).

The site is located in a Main Centre Inner Area and a Conservation Area as defined in the Island Development Plan. The site is not within a Retail Core Area or a Regeneration Area. The building to the rear (north) of the site is recognised as a Protected Building.

The site has been subject to a number of change of uses over the years, changing between food, convenience retail and a tattoo parlour.

Planning permission is sought to change the use of a tattoo parlour (Sui Generis use) to a bakery (Made by Fairies Bakery), falling under Use Class 9, Convenience Retail. On balance, in this instance, the bakery element is not considered to amount to an industrial use and the items sold would be considered to comprise convenience items, not falling within Use Class 10. As there does not appear to be any facility for customers to eat on the premises, the use would not fall within Use Class 11.

Signage is proposed on the south-east and south-west elevations and will be applied internally, although will cover less than 25% of the glazed area of each elevation.

The applicant has provided further support and justification within their submission. It is noted that "*the public areas will be for the sale and collection of baked goods which have been cooked on site and for consultations with occasional visitor/customers to discuss specific baking requirements for functions such as wedding, parties, and corporate events. There will be no hot food for sale for consumption on site.*"

The operation hours of the business open to the public will be between 8am-6pm, Monday to Saturday, with the baking commencing on site no earlier than 6am.

Relevant History:

Reference No	Description	Decision	Date
FULL/2026/0547	Change of use of ground floor from tattoo parlour to cake shop/cafe (Use Class 11).	Withdrawn	2026
FULL/2021/0061	Change of use of ground floor from cafe (use class 11) to tattoo parlour.	Granted	2021
FULL/2018/2041	Change of use from Convenience Retail Use Class 9 to Retail Use Class 11 (Cafe)	Granted	2018

Existing Use(s):

Tattoo Parlour - Sui Generis use**.**

Assessment: *(Tick as appropriate)*

no representation	✓	visual amenity acceptable	✓
accords with policy	✓	no material neighbour impact	✓
within curtilage	✓	traffic not affected	✓
design acceptable	✓		

Policies considered most relevant:

MC6 Retail in Main Centres
GP4 Conservation Areas
GP5 Protected Buildings
GP8 Design
GP9 Sustainable Development

Consultation:

Environmental Protection and Food Safety and The Office of Environmental Health and Pollution Regulation's comments:

"I have reviewed the proposed plans for the new bakery at Sacred Hand Tattoo, Mansel Street, received by email on 16th of June. I have one comment in relation to the W.C. facilities. Under food safety law, there must be two doors between a W.C. and any food handling or food storage areas. While the plan shows 'an office' next to the W.C., there is also a sink and chiller units and work top in this room. The applicant will need to install another door between these two spaces if they wish to use the 'office' as a food storage/handling space.

I have liaised with my colleague, Cathy Rirsh, and her comment from Environmental Protection and the ventilation extraction planned: Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014+A1:2019."

Conclusion/Brief comment:

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting protected buildings, to secure so far as possible that the special historic, architectural, traditional or other special characteristics (including setting) are preserved. This duty is reflected in Policy GP5 of the IDP 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 situated within the vicinity of a protected building to the north. Taking into account the type of development proposed, the application is not considered to have a negative effect on the setting of the adjacent protected building and any such impact would be outweighed by the social and economic benefits of the development. The proposal accords with Policies GP5 and GP8 in respect of its impact on the setting of protected buildings.

Under Section 38 of The Land Planning and Development (Guernsey) Law, 2005 the Authority has a duty to pay *"special attention to the desirability of preserving and enhancing the character and appearance"* of Conservation Areas. This duty is

encapsulated in Policy GP4 (Conservation Areas) which states that "*proposals for development within a Conservation Area will be supported where the development conserves and, where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area*."

Policy MC6 states that:

> *Within the Main Centres, new convenience and comparison retail provision will be*
> *supported and encouraged. Proposals to extend, alter or redevelop existing retail*
> *premises will also be supported providing they accord with all other relevant policies*
> *of the Island Development Plan.*

In light of Policy MC6, the change of use from a tattoo parlour (Sui Generis use) to a bakery (Retail Use Class 9, Convenience Retail) would be an appropriate retail use within the Main Centres which will contribute positively to its vitality and viability.

The signage is deemed to constitute exempt development under Class 10.10 of the Exemptions Ordinance (2023).

While the drawings note that a standard mechanical extract vent is to be installed on the north elevation of the building, which is not visible in the public realm, no external plant equipment is shown. Nevertheless, given the potential noise issues associated with the mechanical extract vent, it would be reasonable and necessary to attach a condition to the effect of The Office of Environmental Health and Pollution Regulation's comments in the interests of protecting neighbour amenity. It is also worth attaching an informative advising that any external plant equipment is likely to require a separate grant of planning permission.

It is also recommended that an informative be included in light of Environmental Protection and Food Safety comments to inform the applicant.

For the purposes of Policy GP4, the proposal is considered to conserve the character and appearance of the Conservation Area, subject to conditions.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the

Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:
Grant with Conditions ☑
Date: 05/08/26