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 section of ground floor level from Tattoo parlour to be incorporated back into residential unit/dwelling.

LOCATION: 1 Brock Road, St. Sampson.

APPLICANT: Mr N Misselke

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: 19/10/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/08/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: NBA Architecture: 31140 Sheet No.10A & 1:1250 scaled site location plan

Application Ref: FULL/2026/1297

Property Ref: B002470000

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 18/10/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-
For the avoidance of doubt, this decision permits the associated floorspace to be used as an integral part of and incidental to the principal dwelling presently known as 1 Brock Road. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

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/2026/1297
Property Ref:	B002470000
Valid date:	10/08/2026
Location:	1 Brock Road St. Sampson Guernsey GY2 4PL
Proposal:	Change of use of section of ground floor level from Tattoo parlour to be incorporated back into residential unit/dwelling.
Applicant:	Mr N Misselke

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.

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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

For the avoidance of doubt, this decision permits the associated floorspace to be used as an integral part of and incidental to the principal dwelling presently known as 1 Brock Road. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a terraced type property situated on Brock Road at the crossroads with New Road and Church Lane.

Surrounding the site the area comprises a mixture of uses mainly residential but with some ground floor retail uses and a public house on the opposite side of the road.

The site is situated within a Main Centre Inner Area, and Conservation Area as designated in the Island Development Plan. The adjacent property to the west is protected.

Relevant History:

FULL/2023/1783	Raise roof ridge height, extend and alter at 2nd floor level, erect extension and balcony at 1st floor level to west (rear) elevation and alterations to fenestration.	Granted 09/04/2024
FULL/2010/2460	Change of use of shop to tattoo parlour.	Granted 22/09/2010

Existing Use(s):

Tattoo Parlour part of ground floor;
Residential remainder of ground floor and all upper floors.

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 (setting)
GP8 Design
GP9 Sustainable Development
IP7 Private and Communal Parking

Conclusion/Brief comment:

Planning permission is sought for the change of use of part of the ground floor from a tattoo parlour (sui generis) to residential use. Following the deferral of the application to seek clarification, revised plans have been submitted confirming that the space will be incorporated into the existing dwelling and used as an additional bedroom.

Beyond the Core Retail Areas, Policy MC6 supports the loss of retail floorspace where this would assist in maintaining Main Centres as attractive focal points for economic development.

In this case, the area proposed for conversion is limited in extent, comprising approximately 27m² of floorspace. The incorporation of this relatively small area into the existing dwelling as a bedroom would not undermine the vitality or viability of the Main Centre and would represent an appropriate reversion to residential use.

No external alterations are proposed. As such, the development would preserve the character and appearance of the surrounding Conservation Area and would not adversely affect the amenities of neighbouring occupiers. Nor would there be any adverse impact on the setting of the adjoining protected building.

Whilst the creation of an additional bedroom may result in a modest increase in parking demand, the site occupies a highly sustainable location within the Main Centre Inner Area, within easy walking distance of a wide range of shops, services and community facilities. The site also benefits from good access to public car parks, on-street parking, cycle parking facilities and regular bus services. As such, future occupiers would have a range of transport options available and would not be wholly reliant on the private motor car. In these circumstances, the proposal would not give rise to unacceptable highway safety impacts and is therefore considered to comply with the requirements of Policy IP7.

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.

Recommendation:
Grant with Conditions ☑

Date: 15/10/2026