

# Online Version

**THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005**

**AND SECTION 19 OF THE LAND PLANNING AND DEVELOPMENT  
(GENERAL PROVISIONS) ORDINANCE, 2007**

## **NOTIFICATION OF REFUSAL OF PLANNING PERMISSION**

**PROPOSALS:** Change of use to shop (Retrospective)

**LOCATION:** Griffins Grotto, Rue De La Hougue Bachele, Perelle Bay,  
St. Saviour.

**APPLICANT:** Mr D Le Poidevin

I refer to the application referred to below received as valid on 30/07/2010 regarding the above proposals as described more fully in the application and drawings referred to below.

**Date of refusal of permission:** 22/09/2010

**Drawing Nos:** A7 Design 10-335-01

**Application Ref:** FULL/2010/2551

**Property Ref:** E011080000-P02

The Department has decided to refuse your application under the provisions of section 16 of the Land Planning and Development (Guernsey) Law, 2005 for the following reasons:-

1. Policy RE4 of the Rural Area Plan indicates that proposals for the creation of new retail outlets will not be permitted unless they would support the viability and vitality of a Rural Centre. The application seeks to continue a retail use unconnected with the authorised industrial use of the building. The application site is not within or close to a Rural Centre. As such, it cannot be argued that the new shop supports the viability and vitality of any such Centre. An independent retail use in this location is precluded by Policy RE4 and conflicts with the objectives of this policy.

2. Policy RE8 of the Rural Area Plan seeks to retain good quality industrial accommodation in the rural area. There is no evidence to show that the application premises are unsuitable for continued use for industrial purposes. The change of use has resulted in the loss of industrial floorspace contrary to

the requirements of Policy RE8.

**OTHER REMARKS:-**

**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, against a decision to refuse an application for planning permission or outline planning permission to the Planning Tribunal on the merits. 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 Department made this decision.

**Copy of representations made**

In reaching this decision the Department took into account any written representations arising from consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any representations made to the Department under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

**A J ROWLES**  
**Director of Planning Control Services**