

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: Internal alterations. (Protected Building).

LOCATION: 16-18 Smith Street, St. Peter Port.

APPLICANT: Sandpiper CI 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: 07/10/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/09/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne: 10509-S1-01C & Statement.

Application Ref: FULL/2021/1811

Property Ref: A200840000

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. No development shall begin on site until details of any possible mechanical and electrical ducting and layouts with routes through the building shown have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details for the M&E elements of the scheme. This condition is imposed to make sure that the building is of satisfactory design and does not have any adverse impact on the character of the area.

Expiry Date: This permission will cease to have effect on 06/10/2024 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

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/2021/1811
Property Ref: A200840000
Valid date: 08/09/2021
Location: 16-18 Smith Street St. Peter Port Guernsey
Proposal: Internal alterations. (Protected Building).
Applicant: Sandpiper CI Limited

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.

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Reason - The information provided with the application does not include full details for the M&E elements of the scheme. This condition is imposed to make sure that the building is of satisfactory design and does not have any adverse impact on the character of the area.

OFFICER'S REPORT

Brief Description of the site:

The property known as '16-18 Smith Street' is a three and a half storey corner building comprising retail space at ground floor facing onto Smith Street (northeast elevation) and the southeast and southwest elevations facing onto Le Marchant Street. There are adjacent buildings to the northwest. The property is located within the St Peter Port Main Centre, and is within the town Conservation Area as defined in the Island Development Plan. The property is also a Protected Building.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Retail use class 10: general retail.

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

Conclusion/Brief comment:

This application is for some internal alterations to the retail area on the ground floor. The alterations are to replace the parquet flooring and remove a couple of walls in the storage area.

The walls in the rear storage area are of modern construction and therefore their removal is not thought to affect the special interest of the protected building and complies with GP5.

The parquet flooring is not thought to be original to the building as there is a thick slab of concrete underneath, the wood appears to be pine, which would make it less likely to be original. The floor is not in good condition and makes a low contribution to the overall special interest of the protected building. Upgrading the floor to suit the new shop, is a reasonable aspiration of the applicant and is considered appropriate.

The columns and shop front and ceiling are to be retained.

There is some concern about the possible installation of mechanical and electrical ducting, which is mentioned in the application, but there are no details to show how the layouts will impact on the special interest of the buildings retail interior. A condition will be attached to ensure any installation will not impact upon the protected building.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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

Recommendation:

Grant with Conditions



Date: 06/09/2021

