

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 retail (Use Class 10) to office (Administrative, financial and professional Use Class 15)

LOCATION: Bordage House, Le Bordage, St. Peter Port.

APPLICANT: Craigard (Bordage House Guernsey) Ltd

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: 18/11/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 21/10/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Drawing entitled Block Plan by Planning Service (28/10/2021) and Lovell Ozanne & Partners Ltd: G37.7631.51

Application Ref: FULL/2021/2220

Property Ref: A400880000

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 17/11/2024 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/2021/2220
Property Ref: A400880000
Valid date: 21/10/2021
Location: Bordage House Le Bordage St. Peter Port Guernsey
Proposal: Change of Use from retail (Use Class 10) to office
(Administrative, financial and professional Use Class 15)

Applicant: Craigard (Bordage House Guernsey) Ltd

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.

OFFICER'S REPORT

Brief Description of the site:

Bordage House is a large building that has frontages to both Le Bordage and Mill Street.

The application relates to the change of use of part of the ground floor from retail to office accommodation and relates to part of the building that fronts Mill Street.

The site is located in the Main Centre, Conservation Area and Archaeological Area as designated in the Island Development Plan.

Relevant History:

FULL/2016/1618 - Change of Use from retail Use Class 14 to office Use Class 21 – withdrawn

Pre-application advice was sought in 2017 regarding the use of the premise as an office

Existing Use(s):

Retail

Assessment: *(Tick as appropriate)*

no representation

☒

accords with policy

☒

within curtilage

☒

design acceptable

☒

visual amenity acceptable

☒

no material neighbour impact

☒

traffic not affected

☒

Policies considered most relevant:

Island Development Plan policies:

MC4(A): Office Development in Main Centres

MC6: Retail in Main Centres

GP4: Conservation Areas

GP8: Design

GP9: Sustainable Development

Conclusion/Brief comment:

Policy MC6 outlines that within the Main Centre and outside the Core Retail Area change of use away from retail will be permitted where it supports the objective of ensuring the Main Centres remain attractive focal points for economic and social activity.

The application relates to the provision of office accommodation in this central location which would not detract from the economic activity associated with this part of the Main Centre and accords with the aims of Policy MC6.

Policy MC4(A) sets out that proposals for new office development within the Main Centres may be supported. The Island Development Plan acknowledges the useful range of small, medium and large floor plate office accommodation found in the Main Centre and that there is support for further office use of vacant space within the Main Centre (above retail units) where it is possible to meet modern, fit for purpose accommodation. Such proposals should seek to maintain or enhance the vitality of the rear with a balance between the value of the proposed development in terms of its contribution to the social and economic objectives of the States and its potential to contribute to the vitality and viability of the Main Centre, with other environmental considerations including the conservation of existing buildings.

In this case the scheme relates to the provision of office accommodation with a floor area of 66 sqm. No external alterations are proposed in connection with the change of use proposed. The scheme would therefore offer small plate office accommodation that is fit for purpose and which would contribute to the vitality and viability of the Main Centre. As no external alterations are proposed the scheme would not result in harm to the character and appearance of the Conservation Area or impact on buried archaeology.

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.

The scheme therefore meets the aims of the Island Development Plan and it is recommended planning permission is granted for the change of use proposed.

Recommendation:

Grant with Conditions



Date: 18 November 2021

