

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: Erect two-storey extension to south elevation, ground floor as healthcare facility (Use Class 18) and first floor as two flats (Residential Use Class 2), erect bicycle store/store.

LOCATION: Galleries Du Manoir, Les Camps Du Moulin, St. Martin.

APPLICANT: GDM Car Park 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: 05/08/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/02/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne: B91-10524-S1-02A, -03B, -04A & -05C.

Application Ref: FULL/2022/0198

Property Ref: J01493B000 + J01493C000

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 occupation of any part of the development hereby approved shall take place until such time as the turning facilities shown on the approved plan have been completed in accordance with the approved details.

Reason - To make sure vehicles can enter and leave the site in a forward direction in the interests of road safety and effective traffic management.

5.No occupation of any part of the development hereby approved shall take place until such time as the cycle parking shown on the approved plan has been completed in accordance with the approved details.

Reason - To provide occupiers of the development with the opportunity to travel by alternative modes of transport.

6.The ground floor premises hereby approved shall be used only for the provision of non-residential medical or health services and for no other purpose including any other purpose in Public Amenity Use Class 18 of the Land Planning and Development (Use Classes) Ordinance, 2017, or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above and as set out in the application submission having regard to the scale of development appropriate for this Local Centre.

Expiry Date: This permission will cease to have effect on 04/08/2025 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/2022/0198
Property Ref: J01493B000 + J01493C000
Valid date: 04/02/2022
Location: Galleries Du Manoir Les Camps Du Moulin St. Martin
Guernsey GY4 6DA
Proposal: Erect two-storey extension to south elevation, ground floor as healthcare facility (Use Class 18) and first floor as two flats (Residential Use Class 2), erect bicycle store/store.
Applicant: GDM Car Park 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.

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).

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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.

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Reason - To provide occupiers of the development with the opportunity to travel by alternative modes of transport.

6. The ground floor premises hereby approved shall be used only for the provision of non-residential medical or health services and for no other purpose including any other purpose in Public Amenity Use Class 18 of the Land Planning and Development (Use Classes) Ordinance, 2017, or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above and as set out in the application submission having regard to the scale of development appropriate for this Local Centre.

OFFICER'S REPORT

Site Description:

Galleries Du Manoir is a two-storey development comprising a mix of retail, residential and healthcare uses. The development makes the corner of Les Camps Du Moulin and La Route De Blanches and is visible when travelling southwest along La Route De Sausmarez. Residential development exists to the east, north and west of the site. The site contains a mix of uses (retail, healthcare/pharmacy/residential). Car parking to serve the development is situated to the south of the site and is split across two levels.

The site is located within a Local Centre as designated in the Island Development Plan.

Relevant History:

Pre-application advice was sought in this case.

Existing Use(s):

02 flats

9/10 Retail

18 non-residential health/welfare services (doctor surgery, physiotherapy etc.)

15 professional/financial services for visiting members of the public (bank)

Brief Description of Development:

Planning permission is sought for the erection of a two-storey extension to the south of the building across part of the existing car park serving the site. Two new units are proposed on the ground floor to offer healthcare provisions (Use Class 18) whilst two, two bedroom flats are proposed above with roof terraces facing east. Two allocated parking spaces are proposed in the upper car park to serve the flats and pedestrian access to these units will also be via a raised walkway from the upper car park area. Cycle parking (5 spaces) is proposed to the south of the building, three adjacent to the new commercial units and two adjacent to the first floor access to the flats. A trolley store is also proposed to the south of the building.

The scheme is identified to make optimum use of land by providing accommodation above the proposed ground floor healthcare units. The scheme has been designed with south facing living accommodation, external terrace for each unit and with existing planting along the south boundary there will be a visual screen to the adjoining housing. Both car and cycle parking are proposed.

The application has been accompanied by a letter that addresses the relevant policies in the Island Development Plan. The letter outlines that Galleries du Manoir is a commercial retail site in a Local Centre comprising a mix of uses and that locating the additional healthcare areas in a Main Centre would not be practical given the location of the main business in St Martin and which serves that local community. The extension will be served by the existing car park allowing shared parking for customers and staff. The application as originally submitted did not provide any details regarding the specific use of the extension to enable an assessment to be undertaken in relation to LC3(A), whether it is of a scale/nature appropriate to the locality and whether the proposal would undermine the Main centre. The application was therefore deferred twice and further information provided to address this.

This set out that the extension would be to extend the existing Guernsey Healthcare Group medical facility, drawing attention to the Bailiwick Partnership of Purpose and the objective of tackling some of the deep-seated challenges within the health and care system one of which being that nearly 2/3rds of the population over the age of 60 have a long-term and chronic condition. Such long-term conditions account for approximately 50% of all GP appointments, 64% of out-patient appointments and over 70% of in-patient and bed days.

The letter indicates that the current delivery of health and care is unsustainable due to the aging population, medical inflation and high expectations. The letter outlines

that the proposal accords with the States of Guernsey commitment to transforming health and care services and the application submission does not include the detailed analysis behind the specific services to be provided due to the confidential nature of this information.

The letter does address Policy LC3(A), setting out that there is no additional available space and therefore an extension to the existing social and community use is proposed. Alternatively, a change of use of an existing retail area would be necessary. The submission asserts that the scheme would be of an appropriate scale and mass and will maintain the character and vitality of this part of the Local Centre in accordance with all other relevant policies in the Island Development Plan.

Further information provided also sets out that the proposed units would offer more specialist treatment spaces and associated waiting areas.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

Island Development Plan policies:

LC2: Housing in Local Centres

LC3(A): Social and Community Facilities in Local Centres - New, Extension, Alteration or Redevelopment of Existing Uses

GP8: Design

GP9: Sustainable Development

IP6: Transport infrastructure and support facilities

IP7: Private and Communal Car Parking

Representations:

None.

Consultations:

Committee for Health & Social Care (HSC) – The Committee considered the application at its meeting held on 26th July 2022 and is pleased to provide the following feedback. This letter is concerned only with the potential to provide additional healthcare services from this site, on the ground floor of the proposed new extension. While noting that the application proposes the creation of additional accommodation for medical staff, the Committee has restricted its comments solely to the potential development of additional healthcare facilities, considering that the residential aspects fall outside of its mandate.

The Committee is of the view that the proposals by the Guernsey Healthcare Group to extend its facilities to deliver an increasing range of primary care services, with a focus on prevention and early intervention, are to be welcomed. This site is well-located for service users in the St Martin's Local Centre and the overall aims described in the application for additional health and care services to be delivered

from this site support many of the objectives of the Partnership of Purpose agreed by the States in 2017.

The Partnership of Purpose describes the high-level ambitions to move towards the greater accessibility of services to the community, proposing that healthcare services should be brought together in a number of community 'hubs'. While these principles hold true, the delivery of this approach has not been realised to date and there are no defined plans in place at this time to facilitate a St Martin's 'Health hub'. However, the Committee does not consider that this should diminish the application, as the site is particularly well-located and is also well-served by established bus-routes. This is particularly advantageous given the concerns which have previously been raised in respect of islanders' access to transportation through the Joint Strategic Needs Assessment for Over 50s and the Health and Wellbeing Survey.

In this context, the Committee is keen to support the increased availability and accessibility of primary health care services to the community and recognises that the plans described in this planning application seek to do so. The Government Work Plan has prioritised a review of the model and funding of primary care as a Category 1 priority. This work is actively being progressed as a cross-Committee initiative, noting the strategic importance of primary care provision not simply in supporting better health outcomes for islanders but for wider social and economic benefits. While this work will continue during 2022, the Committee welcomes the steps being taken by Guernsey Healthcare Group to respond to evolving community needs.

Summary of Issues:

The key issues in this case relate to the principle of the development, its design and appearance and its likely effect on the character and amenity of the locality along with the potential impact on residential amenity with regard to sunlight and daylight and loss of privacy.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Healthcare extension

Policy LC3(A) makes provision for the extension of existing social and community facilities where it is of a scale that is appropriate to the Local Centre concerned and will not negatively affect the vitality and viability of the Main Centres. Local Centres are community focal points with the potential to provide local development

opportunities of a scale appropriate to support the role of the Centre as socially inclusive and diverse communities and neighbourhoods.

The St Martin Local Centre is the largest in terms of land area, population and the number of dwellings, the Local Centre Survey (2020) identified that St Martin had a strong convenience and service offering, has a broad range of uses and has seen a reduction in vacancies. The proposed extension would not affect the range and balance of uses in the Local Centre or result in over provision of the use given the range of healthcare facilities in the Centre (including 7 in health use) and it is an extension to the only doctor's surgery.

The scheme proposes two additional units, with a layout similar to other commercial units that face west onto the existing lower car park at Galleries Du Manoir. There would be a 43% increase in the floor area of this existing health use which is considered modest in relation to the overall floorspace of non-residential uses in the Local Centre and would be within an existing mixed use development with good transport links. The facility would not be of a scale where the intensity of the use would be out of character for this Local Centre and would not be comparable with a facility such as the MSG in St Peter Port which serves the island as a whole. There is a clear operational requirement to co-locate the facility with joint trips and management of services and it would not be reasonable to expect disaggregation. The development is concluded to be of an appropriate scale for the St Martin Local Centre and would support the role of the Local Centre.

With regard to the impact of the development on the Main Centres the development would not have a detrimental effect on the diversity of uses in Main Centres, where there are currently GP surgeries and a range of other health uses. Whilst the proposal could have a minor negative impact on the vitality and viability of the Main Centres because the proposal could add footfall and reuse vacant space if located in a Main Centre this does not take into account the benefits of being located with an existing GP surgery as detailed above.

HSC have also commented on the application and support the proposed enhancement of services provided by the Guernsey Healthcare Group at Galleries du Manoir.

This aspect of the scheme therefore complies with Policy LC3(A) of the Plan.

Residential development

The Island Development Plan makes provision for housing development in Local Centres and the erection of two, two bedroom flats is considered to be of a scale that is appropriate to maintain the character and vitality of the St Martin's Local Centre. The two units of residential accommodation will not have a negative impact on the vitality and viability of the Main Centre in accordance with Policy LC2 of the Plan.

Design and appearance of extension

Although the proposed extension is higher and bulkier than the development immediately to the north the scheme has been designed to reflect the scale and nature of other areas of Galleries Du Manoir. The ground floor west elevation of the development has been designed as a continuation of the units to the immediate north and overall, the scheme incorporates a palette of materials that reflect the existing development on the site, albeit with added enhancements such as metal standing seam cladding, cedar cladding and glass balustrades. The development represents a good standard of design that will respect the character of the local built environment in accordance with Policy GP8 of the IDP.

Impact on residential amenity

Residential dwellings exist to the east of the site however these dwellings are elevated above the application site with their rear gardens situated adjacent to the application site. The proposed development is to be set away from the site boundary with existing boundary landscaping retained.

The mansard roof of the proposed development ensures that the overall height of the building remains low. The change in site levels and position of the proposed development is such that the extension will not result in unacceptable overshadowing or loss of light to the occupiers of these adjoining dwellings.

The proposal will introduce first floor residential accommodation where none currently exists which will change the living environment of occupiers to the east. Nonetheless, there will be approximately 12m between the proposed east facing balconies and the west elevation of the existing dwellings. The windows and balconies in the east elevation of the extension will be positioned at the approximate ground floor level of these neighbouring dwellings therefore the potential for overlooking and loss of privacy is kept within acceptable limits.

In this respect, the scheme meets the aims of Policies GP8 and GP9 of the Island Development Plan.

Future living environment of occupiers

The proposed flats are to be served by a raised accessway from the allocated parking spaces and cycle parking in the upper car park at Galleries Du Manoir. Access to the flats will be via steps down from the car parking area and would not offer access for people of all ages and abilities although it is acknowledged that the accommodation would be on a single level and that stepped access would afford access to ambulant disabled. To adjust the overall height of the building to provide a level access from the upper parking area would impact on the overall height of the development which would be likely to have a detrimental impact on its design, impact on residential amenity of properties to the east and the character of the area.

The accommodation would offer open plan living and with a terrace offering some external amenity space to the east of the accommodation (the covered roof to this terrace was omitted following the deferral of the application). Flat 1 will have windows and doors in the west, south and east elevations providing the accommodation with adequate daylight and sunlight. Flat 2 is to be served by windows in the west and east elevations to provide light to the open plan living area and both bedrooms. The layout of the accommodation could offer some opportunities for internal alterations to allow for adaptations that would respond to people's needs over time.

The scheme does, on balance, accord with the aims of Policy GP8 in terms of adaptable and accessible accommodation and offers adequate daylight, sunlight and open space.

Highway Safety and parking provision

The scheme will see a reduction in parking spaces on the site, from 116 to 109 but will make provision for new cycle parking on site. Policy IP7 sets out that the provision of appropriate levels of private and communal car parking within a development is important to its overall quality and function but that managing supply is a key factor in addressing traffic congestion, encouraging people to use more sustainable modes of transport. The site serves a variety of uses with adequate parking to meet the needs of the existing and proposed uses. The provision of one off-road space to serve each flat is considered appropriate in this sustainable location, close to services and public transport links. Furthermore, the provision of cycle storage provides occupiers with the opportunity to utilise alternative modes of transport. The scheme therefore meets the aims of Policies IP6 and IP7 of the Plan.

The proposed development will not significantly increase vehicle movements to the site and, as amended, the scheme makes alternative provision for on-site turning to enable vehicles to exit this part of the site in a forward gear. The scheme therefore addresses the requirements of Policy IP9.

Sustainability matters

With regard to Policy GP9: Sustainable Development, it has been demonstrated that the proposed development will comply with Building (Guernsey) Regulations 2012 and therefore has taken into account the use of energy, resources and any adverse impact on the environment.

Conclusion

In view of the above, it is recommended planning permission is granted for the development subject to the provision of replacement on-site turning as shown and the provision of cycle parking as shown.

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 29 July 2022