

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 single storey extension to west elevation of outbuilding.

LOCATION: Constables Office / Parish Hall, La Grande Rue, St. Martin.

APPLICANT: Constables Of St Martin

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: 29/04/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/02/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: B. Gregg: 2134/22/1.

Application Ref: FULL/2022/0365

Property Ref: J005050000

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 28/04/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the proposed store/workshop, however named, to be used only for purposes incidental to the use of St. Martin's Constables Office/Parish Hall. Any use in connection with a trade or business would require a separate grant of planning permission.

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/2022/0365
Property Ref: J005050000
Valid date: 08/02/2022
Location: Constables Office / Parish Hall La Grande Rue St. Martin
Guernsey GY4 6LH
Proposal: Erect single storey extension to west elevation of outbuilding.
Applicant: Constables Of St Martin

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.

INFORMATIVES

For the avoidance of doubt, this decision permits the proposed store/workshop, however named, to be used only for purposes incidental to the use of St. Martin's Constables Office/Parish Hall. Any use in connection with a trade or business would require a separate grant of planning permission.

OFFICER'S REPORT

Site Description:

The application site comprises St. Martin's Parish Hall, constable's office, public toilets and store. The premises is located in St. Martin's Local Centre and Conservation Area as designated in the Island Development Plan.

Relevant History:

None pertinent to this application.

Existing Use(s):

Parish hall/office – public amenity use 19.

Brief Description of Development:

Planning permission is sought to extend the existing store room to the west of the public toilets. It is noted as part of the application that the store will be used as a store with very limited use as a repair area for the Parish street furniture, with no means of heating and LED light fittings.

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

LC3(A): Social and Community Facilities in Local Centres – New, Extension, Alteration or Redevelopment of Existing Uses.
GP4 Conservation Areas
GP8 Design
GP9 Sustainable Development

Representations:

The Authority has received a letter of representation from one party objecting to the proposal. Grounds for objection principally relate to the following issues:-

- The use of the store/workshop and impact on neighbouring properties.
- Overlooking.

Consultations:

None generated.

Summary of Issues:

- The impact of the development on the character and appearance of the Conservation Area.
- Whether the proposal would have any detrimental impacts on the amenities afforded to the occupiers of neighbouring properties;

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

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.

Policy LC3(A) states that *“proposals for the extension, alteration or redevelopment of existing social and community facilities will be generally supported where the proposal 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 and where proposals accord with all other relevant policies of the Island Development Plan”*.

The proposal adopts a high standard of design for the purposes of Policy GP8 when taking into account the scale, form, massing, siting and materials of the store. Despite the increase in mass, the store will not cause undue harm to the Conservation Area by virtue of its recessed position and roof form which helps to ‘break up’ the cumulative mass. Overall, the proposal relates well to the adjoining store and public toilets and will have a negligible effect in the Conservation Area.

Whilst concerns have been raised by neighbouring residents in respect of the proposed development, it is not considered reasonable and necessary to attach a condition to the decision to restrict the use of the store/workshop. This decision has been reached when taking into account that the store/workshop will be used ancillary to the community use of the parish hall/office and is of limited footprint.

Although not envisaged by the application submitted, it is noteworthy for comparison reasons only that light industry can operate in residential areas. However, should any noise nuisance associated with the store be identified beyond the scope of the permission (ancillary to the community use of the building)

including unsociable hours or excessive noise associated with machinery, this could be subject to investigation by Enforcement or even the Office of Environmental Health and Pollution Regulation.

With regards to the impact on privacy, the degree of harm from the potential outlook from the windows facing the neighbouring property to the north-west is unlikely to cause significant harm to warrant refusal, or require the windows to be obscure glazed, when taking into account the single storey nature of the development, existing boundary treatment, and distance to the neighbouring property.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies; it is therefore recommended that planning permission be granted, subject to conditions.

Date: 21/04/22

