

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: Demolish existing canopy, erect canopy to north (front) elevation, install roof and cladding and replacement doors to east (side) elevation.

LOCATION: Castel Service Station, Route De L'Eglise, Castel.

APPLICANT: Thompson Holdings 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: 25/10/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 05/07/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services - 6226/C/1b

Application Ref: FULL/2022/0984

Property Ref: D007640000

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 the materials of the roof canopy hereby approved, including roof and fascia materials and large scale details of the proposed steel supports, 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 of the proposed features. This condition is imposed to make sure that the the canopy does not have an adverse impact on the character of the area.

Expiry Date: This permission will cease to have effect on 24/10/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

This permission does not relate to the display of any sign or advertisements. A separate permission will be needed for any such display.

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/2022/0984
Property Ref: D007640000
Valid date: 05/07/2022
Location: Castel Service Station Route De L'Eglise Castel Guernsey GY5 7NB
Proposal: Demolish existing canopy, erect canopy to north (front) elevation, install roof and cladding and replacement doors to east (side) elevation.
Applicant: Thompson Holdings 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.

4. No development shall begin on site until details of the materials of the roof canopy hereby approved, including roof and fascia materials and large scale details of the proposed steel supports, 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 of the proposed features. This condition is imposed to make sure that the canopy does not have an adverse impact on the character of the area.

INFORMATIVES

This permission does not relate to the display of any sign or advertisements. A separate permission will be needed for any such display.

OFFICER'S REPORT

Site Description:

Thompson Motors is situated to the south of Route De L'Eglise, with residential properties surrounding it. A gym/fitness centre does however, exist to the immediate east of the site.

The existing forecourt canopy was designed with a false hipped roof and is limited in depth. The canopy has a somewhat domestic appearance and does not appear unduly obtrusive in the streetscene.

The site is located Outside of the Centres as designated in the Island Development Plan.

Relevant History:

None relevant.

Existing Use(s):

Sui generis use, comprising the sale of fuel for motor vehicles, with associated forecourt shop, car sales and vehicle repair

Brief Description of Development:

The application relates to the removal of the existing forecourt canopy and construction of a larger canopy across the front of the building along with alterations to the existing building comprising replacement roof coverings and doors.

The application was deferred due to concerns raised relating to the level of extension proposed and its potential impact on the character and appearance of the locality. Revised plans were provided to show the canopy reduced in size and set inside the roadside boundary.

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

Island Development Plan policies:

OC3: Offices, Industry and Storage and Distribution Outside of the Centres

OC4: Retail Outside of the Centres

GP8: Design

GP9: Sustainable Development

Representations:

None.

Consultations:

None.

Summary of Issues:

The key issues relate to the principle of the proposed development and the impact of the alterations to the building on the character and appearance of the streetscene.

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.

Outside of the Centres there is limited scheme for extensions and alterations to existing retail premises (petrol filling station forecourt) only where the development is of limited scale to provide for the continuation of the existing retail use at its current level of operation. Proposals to extend, alter or redevelop existing industrial,

storage and distribution or office premises will be supported and would be relevant in relation to the alterations to the roof of the building and replacement roller shutter doors which serve the garage (vehicle repair/serving).

The development must also comply with all other relevant policies including the visual impact of the works on the character and appearance of the locality.

The proposed works are considered to be of limited scale and the works are considered to provide for the continuation of the existing retail use at its current level of operation.

The scheme as amended, with the canopy limited to the width of the existing building and set inside the roadside wall, will not appear as an inappropriate or obtrusive feature in the streetscene, given the use of the site and existing structures present. The canopy extension, proposed cladding and replacement doors all represent a good standard of design for the form of development that respects the local built environment and which will not have a detrimental impact on residential amenity with regard to sunlight/daylight or loss of privacy. It is however recommended that the decision be conditioned to require details of materials of the canopy, and, in particular, of the proposed supporting poles.

In view of the above it is recommended that permission is granted for the proposed development.

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: 18 October 2022

