

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 roof and section of wall to east boundary.

LOCATION: Former Quayside, North Side, Vale.

APPLICANT: North Quay 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: 30/08/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 14/06/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners - S72-10455-01B, 02 & Photographs detailing extent of works dated 14/07/2022.

Application Ref: FULL/2022/1065

Property Ref: C006320000

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. Within 4 weeks of the first removal of the roof, all windows on the south elevation of the building shall be painted grey so that it is not possible to see through them from the public highway. The windows shall thereafter be retained as such.

Reason - In the interests of visual amenity.

5. The granite wall and brick capping along the east boundary wall shall be rebuilt to match as closely as possible the type, colour, texture, method of bonding and pointing of the existing wall within 4 weeks of the first demolition of this wall.

Reason - To preserve the special interest of the protected building and in the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 29/08/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building is located in an area where bats and birds may be roosting/nesting and measures may therefore need to be taken (including consideration of the timing of the works) to ensure that any protected species present are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted on 07781 166924 or email societe@cwgsy.net.

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/2022/1065
Property Ref: C006320000
Valid date: 14/06/2022
Location: Former Quayside North Side Vale Guernsey GY3 5TW
Proposal: Demolish roof and section of wall to east boundary.
Applicant: North Quay 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. Within 4 weeks of the first removal of the roof, all windows on the south elevation of the building shall be painted grey so that it is not possible to see through them from the public highway. The windows shall thereafter be retained as such.

Reason - In the interests of visual amenity.

5. The granite wall and brick capping along the east boundary wall shall be rebuilt to match as closely as possible the type, colour, texture, method of bonding and pointing of the existing wall within 4 weeks of the first demolition of this wall.

Reason - To preserve the special interest of the protected building and in the interests of visual amenity.

INFORMATIVES

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building is located in an area where bats and birds may be roosting/nesting and measures may therefore need to be taken (including consideration of the timing of the works) to ensure that any protected species present are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted on 07781 166924 or email societe@cwgsy.net.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested to demolish the roof of the former Quayside building and to demolish and rebuild the top 2 to 3 courses of a section of wall along the east boundary.

In support of the application the agent advises that the section of the roof the subject of this application consists of asbestos sheeting on a timber roof structure. Maintenance of the roof has been restricted due to the extent of asbestos sheeting which has led to decay of the supporting timber structure and the roof is now in danger of collapse which would lead to the uncontrolled damage of the asbestos sheet roof. It is advised that the controlled removal of the asbestos sheets will remove the risk of contamination to the surrounding area. A Structural Inspection report dated April 2022 has also been submitted in support of the proposal.

The Quayside site is triangular in form, situated between Trafalgar Road to the north, Longree to the east and Northside to the south. The site comprises a mixture of uses with retail, storage and distribution and light industrial. The former retail unit ceased trading a considerable time ago.

The site is situated within The Bridge, St Sampson and Vale Main Centre Inner Area and Conservation Area and the St Sampson's Harbour Action Area. There is a protected building in the south-east corner of the site comprising of the exterior of Quayside House, the exterior of Sierra Leone International Holdings Ltd (north of Quayside House), historic paving, weighbridge, gate pillars at Northside and Longree and boundary wall at Longree. In addition, adjoining the site to the west is a

protected building comprising of the exterior of La Croix Deli (former Lifeboat House), together with the roof structure, roadside walls and piers.

Relevant History:

None

Existing Use(s):

Retail – Use class 10

Storage and distribution – Use class 22

Light Industrial – Use class 24

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:

Policy MC5(B): Industry, Storage and Distribution Uses in Main Centres and Main Centre Outer Areas - outside of the Key Industrial Areas and Key Industrial Expansion Areas

Policy MC6: Retail in Main Centres

Policy MC10: Harbour Action Areas

Policy GP4: Conservation Areas

Policy GP5: Protected Buildings

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP17: Public Safety and Hazardous Development

Representation:

One letter of representation was received which sought clarification on the extent of the listing of heritage buildings to the east and west of the site and whether the buildings are protected so that they cannot be destroyed.

Conclusion/Brief comment:

Whilst the lack of maintenance resulting in the poor condition of the roof is unfortunate, the information submitted demonstrates a need to remove the roof to prevent potential health and safety issues. The existing site has been largely unused for a considerable period of time and the proposed removal of the roof will further emphasise the derelict nature of the site, to the detriment of the character and

appearance of the Conservation Area. The site is currently awaiting redevelopment but it could be some time before redevelopment progresses.

The application was deferred due to concerns about the potential derelict and unsightly nature of the site and its impact on the character and appearance of the Conservation Area. To mitigate these concerns it was suggested to install public art over window and other openings to restrict public views into the site and to rebuild the section of the protected wall to the east boundary.

In response the agent advises that existing walls will be retained to at least 2 metres above ground level to provide a visual screen from the street and all existing windows will be painted granite grey so that it will not be possible to see through them. In addition, the section of the east boundary wall will be rebuilt to match the appearance of the existing wall on its east elevation.

Although it is unclear when the site will be redeveloped at this time, due to the impending redevelopment of the site, the revised proposal including the retention of the existing walls, greying out windows and rebuilding the section of the east boundary wall are sufficient to mitigate the concerns raised. The proposal is likely to have a neutral effect on the character and appearance of the Conservation Area and would preserve the special interest of the protected buildings, in accordance with Policies GP4 and GP5.

Due to the condition and nature of the roof there is the potential that the roof may be used by roosting bats or nesting birds. To address these concerns it is recommended that a note is attached to the decision notice to make the applicant aware of the potential issues with disturbing animals which are protected under the Animal Welfare Ordinance 2012.

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.

It is recommended that the application is approved.

Recommendation:

Grant with Conditions



Date: 30/08/2022

