

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 of section of ground floor from office (Use Class 16) to Financial and Professional Services (Use Class 15). Install ramp, balustrade, ATM machine with security lighting and camera, alterations to fenestration and erect signage, to north (front) elevation.

LOCATION: St Julians Court, St Julians Avenue, St. Peter Port.

APPLICANT: Barclays Bank PLC

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: 03/05/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 02/02/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Morris & Spottiswood - ELV-001C, WD-001G, WD-007F, B-001B & B-002, DET-001B, ATM Details, Signage 2,

Application Ref: FULL/2023/0107

Property Ref: A111260000

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. Notwithstanding the details shown on the approved plan, the access ramp shall not be installed until precise details of the ramp and balustrade (to include edging railings) 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 ramp and balustrade are of satisfactory design so as to not have any adverse impact on the character of the Conservation Area, and in the interest of highway safety.

Expiry Date: This permission will cease to have effect on 02/05/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Please find enclosed a copy of comments made by the States Traffic and Highway Services. THS has requested that they are contacted at: Highways@gov.gg so that a formal agreement to use part of the public highway to construct part of the access ramp can be documented for future reference.

For the avoidance of doubt, the advertisements to which this permission relates are non-illuminated. Any form of illumination, whether by external or internal means, will

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/2023/0107
Property Ref: A111260000
Valid date: 02/02/2023
Location: St Julians Court St Julians Avenue St. Peter Port Guernsey
GY1 4NA
Proposal: Change of use of section of ground floor from office (Use Class 16) to Financial and Professional Services (Use Class 15).
Install ramp, balustrade, ATM machine with security lighting and camera, alterations to fenestration and erect signage, to north (front) elevation.
Applicant: Barclays Bank PLC

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. Notwithstanding the details shown on the approved plan, the access ramp shall not be installed until precise details of the ramp and balustrade (to include edging railings) 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 ramp and balustrade are of satisfactory design so as to not have any adverse impact on the character of the Conservation Area, and in the interest of highway safety.

INFORMATIVES

Please find enclosed a copy of comments made by the States Traffic and Highway Services. THS has requested that they are contacted at: Highways@gov.gg so that a formal agreement to use part of the public highway to construct part of the access ramp can be documented for future reference.

For the avoidance of doubt, the advertisements to which this permission relates are non-illuminated. Any form of illumination, whether by external or internal means, will require a separate grant of planning permission.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a four-storey office building situated to the south of St Julian's Avenue. Surrounding the site, the area comprises offices uses of mixed building types and design with some ground floor retail premises present.

The site is situated within St Peter Port Main Centre Inner Area and a Conservation Area as designated in the Island Development Plan.

Relevant History:

FULL/2021/1855	Install air conditioning unit to roof of building.	Granted 14/10/2021
FULL/2021/1611	Install replacement air conditioning units to roof.	Granted 02/09/2021
FULL/2016/2129	Replace HV/AC units on roof of building.	Granted 27/10/2016
FULL/2015/0492	Install air conditioning units on roof at 5th floor level.	Granted 21/04/2015

Existing Use(s):

Office – Use Class 16

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
- GP4: Conservation Areas;
- GP8: Design
- GP9: Sustainable Development;
- IP7: Private and Communal Parking

Consultations

By email dated 17/04/2023 the States Traffic and Highway Services (THS) requested additional drawings to show the edge of the footpath (with road) and any feature that would interrupt pedestrian flow.

The application was deferred and revised drawings were received on 02/05/2023 showing the additional information requested. By email dated 03/05/2023 THS raised no objection to the application but raised the following comments:

“We have discussed this internally and THS has no objection in principle (subject to the comments below) for this proposal. THS believes the boundary between private land and public highway is represented by the green line on the attachment above, this line is our best guess based on existing features and likely historical building line.

As you can see it appears the ramp encroaches into the public highway however given the remaining footpath width and desire of THS to aid access to buildings by people with mobility issues THS has no objections with the proposal as shown. THS does have some concerns that the ramp could be a tripping hazard if edge railings are not provided and therefore THS would require railings provided along the edge of the ramp (if already not in the proposals).

Can you advise the applicant to contact THS directly, Highways@gov.gg so we can arrange a formal agreement with them to use what we believe is part of the public

highway to construct part of their ramp on, in order that this arrangement is clearly documented for the future.”

Conclusion/Brief comment:

Planning permission is sought to change the use of a section of the ground floor from an administration office (Use Class 16) to an office to provide financial and professional services to visiting members of the public (Use Class 15). The proposal also includes various external alterations including new advertisements which are assessed in detail below.

Principle of the change of use

Policy MC4(A) supports proposals for new office development or for the refurbishment, redevelopment or extension of existing office stock within the Main Centres. The principle of the change of use of part of the ground floor is therefore supported.

External alterations

The proposal includes the installation of an access ramp with balustrade, an ATM machine with security lighting and camera and alterations to the fenestration.

The site is situated within a Conservation Area where Policy GP4 of the IDP requires the Authority to ensure that development conserves and where possible enhances the special character, architectural or historic interest and appearance of the particular Conservation Area concerned.

The alterations to provide an access ramp, an ATM machine and the alterations to the fenestration as proposed are in-keeping with the character and appearance of the host building and would not harm the surrounding Conservation Area. However, although the principle of a balustrade is acceptable, its detailing is not clear from the application drawings. To avoid harm to the character of the Conservation Area, and to ensure that the balustrade is appropriately designed it is recommended that should planning permission be granted a condition is included for precise details of the balustrade to be provided for approval.

New advertisements

The proposal includes the installation of a new fascia sign, and a projecting hanging sign on the front elevation of the premises. Advertisements will also be included in the ATM surround.

As initially proposed the fascia sign included halo style illumination. The introduction of illuminated signage would be at odds and would cause harm to the character and appearance of the Conservation Area. The application was subsequently deferred,

and revised plans have been submitted omitting the illumination from the advertisement.

The proposed hanging sign will be non-illuminated and would be of similar scale and proportions to that present on the front elevation of the Swan public house situated to the west of the application site.

The advertisements as proposed would be in-keeping with the host building and would not cause harm to the character or appearance of the surrounding Conservation Area. The scheme complies with policies GP4 and GP8 in this respect.

Highway Safety

Policy IP7 requires the Authority to take into account the provision of the appropriate levels of private and communal parking in accordance with the guidance set in Supplementary Planning Guidance: Parking Standards and Traffic Impact Assessments (SPG)

The SPG states maximum car parking standards and for professional services situated within Main Centres, requires an assessment on the merits of the case to be made.

The site already offers office and will continue to provide office accommodation and although the proposal may increase footfall to the premises from visiting members of the public, situated within the Main Centre and within walking distance of public car parks, the taxi rank and main bus routes, the site is highly accessible by alternative means of transport than the private motor car. Any shortfall in parking is acceptable in this instance and would not harm highway safety.

The states Traffic and Highway Services were consulted on the application and although no objections to the access ramp were raised, they did have concerns regarding a potential trip hazard if edge railings were not provided to the ramp. Based on this information and to address these concerns, it is recommended that should planning permission be granted a condition is included for precise details of the ramp and balustrade (to include edging railings) to be submitted and approved by the Authority.

Considering the above the scheme accords with the relevant policies of the IDP and it is recommended that planning permission be granted subject to conditions.

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.

Recommendation:

Grant with Conditions



Date: 03/05/2023

