

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: Variation of condition 5 of FULL/2018/2167 to allow the continued use of Suite 4 as a training centre (Protected Building).

LOCATION: Suite 4, First Floor, 2 Grange Place, The Grange, St. Peter Port.

APPLICANT: First Intuition Guernsey 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: 11/12/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 17/05/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Digimap Address Locator Map 1:500; DRP Architects - 2172-02A. POS Interiors: 35/1301-A/1-RI.

Application Ref: FULL/2023/0694

Property Ref: A114450000

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. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 29/11/2018, issued under planning application reference FULL/2018/2167, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

5. This permission relates to the use of this premises for the business specified in the application reference FULL/2018/2167. On the cessation of the use of the premises by the business the premises shall revert to use as an office, as defined in Administrative, Financial and Professional Use Class 16 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 - To ensure that the proposal does not result in the long term loss of office from the stock.

Expiry Date: This permission will cease to have effect on 10/12/2026 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/2023/0694
Property Ref: A114450000
Valid date: 17/05/2023
Location: Suite 4, First Floor 2 Grange Place The Grange The Grange St.
Peter Port Guernsey GY1 2QA
Proposal: Variation of condition 5 of FULL/2018/2167 to allow the
continued use of Suite 4 as a training centre (Protected
Building).
Applicant: First Intuition Guernsey 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. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the

permission dated 29/11/2018, issued under planning application reference FULL/2018/2167, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

5. This permission relates to the use of this premises for the business specified in the application reference FULL/2018/2167. On the cessation of the use of the premises by the business the premises shall revert to use as an office, as defined in Administrative, Financial and Professional Use Class 16 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 - To ensure that the proposal does not result in the long term loss of office from the stock.

OFFICER'S REPORT

Site Description:

The site comprises a substantial three-storey building with large rear extension located to the east of the site and a multi-storey block located in the north-west corner. The buildings to the east of the site comprise office premises, for use as administrative offices, whilst the block to the north-west comprises residential units. There is parking below the office premises, accessed via a gateway in the south-west corner of the site.

The front and west elevations of the main office building, together with the roof, is protected. The site is located within a Conservation Area and Main Centre Inner Area in the Island Development Plan.

Relevant History:

29/12/00 Permit to convert flat to office accommodation; demolish dwelling and garages; construct an office extension and erect two residential units.

01/11/17 FULL/2017/1897 Permit for change of use of second and third floors from office (Administrative, Financial and Professional Use Class 16) to training centre, conditioned as follows:

4. The premises shall be used only by the applicant company and in strict accordance with the operational details set out within the approved documentation and for no other purpose including any other purpose in Public Amenity Use Class 19 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. Any other use is likely to raise different planning policy considerations.

5. This permission relates to the use of this premises for the business specified in the application only. On the cessation of the use of the premises by the business, the premises shall revert to use as an office, as defined in Administrative, Financial and Professional Use Class 16 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 - To ensure that the proposal does not result in the long term loss of office from the stock.

29/11/18 FULL/2018/2167 Permit for change of use of part of building from office (Administrative, Financial & Professional Use Class 16) to training centre, conditioned as follows:

4. The premises shall be used only by the applicant company and in strict accordance with the operational details set out within the approved documentation and for no other purpose including any other purpose in Public Amenity Use Class 19 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. Any other use is likely to raise different planning policy considerations.

5. This permission relates to the use of this premises for the business specified in the application and for a period of five years only from the date hereof, expiring on 28/11/2023. On the cessation of the use of the premises by the business, or within five years of the date of this permission, whichever is sooner, the premises shall revert to use as an office, as defined in Administrative, Financial and Professional Use Class 16 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 - To ensure that the proposal does not result in the long term loss of office from the stock.

Existing Use(s):

Suites 1-3: Administrative, Financial and Professional Services Use Class 16

Suite 4: Training Centre – Temporary permission, expiring 28/11/2023.

Suites 5 & 6: Training Centre

Brief Description of Development:

This application proposes to vary Condition 5 of the permission granted under FULL/2018/2167 to allow for the continued use of Suite 4 as a training centre, ideally until such time as no longer required by the applicant company or, if that is not acceptable, until 31 December 2029, which would align with their lease commitments.

Two letters are provided in support of the application, setting out the operations of the business and the requirements for the space.

Following deferral, the following has been provided:

- Layout plans of the Suites in use by First Intuition;
- Confirmation that the business is entirely independent of other businesses operated from the building;
- Additional information regarding the operations of the business, including accreditations with professional institutes for accountancy and corporate governance qualifications and a list of clients who use the businesses services.

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

MC3	Social and community facilities in Main Centres
MC4(A)	Office development in Main Centres

Representations:

None received.

Consultations:

None undertaken.

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).**

A number of independent businesses operate within the existing building, however the building remains a single planning unit for the purposes of planning law, and the overriding use remains as office accommodation falling within Administrative, Financial and Professional Services Use Class 16 of the Land Planning and Development (Use Classes) Ordinance, 2017.

Permission was granted in 2017 for the change of use of Suites 5 & 6 (second and third floor) of the building for use as a training centre, conditioned for use only in the specific circumstances of the application and to revert to office accommodation on cessation of use by the applicant. This permission was granted as a minor departure to Plan policy, taking into account submitted evidence in respect of demand for the premises, the nature of the proposed use and the close relationship with office uses.

Permission was subsequently granted in 2018 for an extension of that use to include Suite 4 (part first floor), for a limited time period of five years. This permission was granted on a temporary basis due to the increased proportion of the building which would be in a use other than office, and to enable ongoing evaluation of office demand and planning policy. This permission now approaches expiry.

The current application seeks to vary the condition attached to the 2018 permission, to enable the ongoing use of Suite 4 as part of the training centre operated from the upper floors, ideally for as long as required by that operation.

As previously assessed, the suites which are used by the business, whilst not comprising large floor plate office, do comprise good quality, flexible accommodation in a desirable location. This conclusion is supported by the designation of the accommodation within the Office Quality Audit 2020 as secondary accommodation. The submitted evidence however demonstrates that there is surfeit of this type of accommodation available on the market, and there is not therefore a demonstrated demand for this particular Suite, which would only comprise 96sqm of office floorspace in isolation, to return to a recognised office use.

Under the previous applications, it was noted that the business operations of the applicant company are intrinsically tied to the financial sector, with an essential requirement to be located in close proximity to the existing financial core. It was also identified that the business has a role as an economic enabler, and this has been further supported by the provision of additional information under the current application, setting out the institutes with which the business is accredited, and its client list, which includes major financial institutions in the Island. It is therefore accepted that the business supports existing office-based commercial activity.

Whilst it remains the case that the proposal would result in half of the suites within the building being in non-office use, the nature of the applicant business and the layout and facilities of each suite are akin to those required for office use and would not prejudice future use of the accommodation for office purposes. Furthermore, the requirements of the business are such that it needs to have office-type accommodation, and it is stated that alternative provision cannot be found.

In light of the above, and taking in account current circumstances, it is considered that there is no longer a requirement to place a limitation on the timeframe of occupancy of the accommodation and it is recommended that Condition 5 of the permission reference FULL/2018/2167 is varied as follows:

This permission relates to the use of this premises for the business specified in the application reference FULL/2018/2167. On the cessation of the use of the premises by the business the premises shall revert to use as an office, as defined in Administrative, Financial and Professional Use Class 16 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.

Date: 07/12/2023

