

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 sheds and walls to provide additional external storage, erect wall and hardstanding to south west boundary.

LOCATION: Maugers Stores, Les Petites Capelles Road, St. Sampson.

APPLICANT: PLF Properties 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: 23/06/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 26/05/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design: 09-271- WD/07 & WD/08

Application Ref: FULL/2023/0844

Property Ref: B01107E000

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 stone to be used in the construction of the new works hereby permitted shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone.

Reason - In the interests of visual amenity.

5.The 1.8m high wall hereby permitted shall be rendered on both sides within 28 days of construction and shall be completed in its entirety prior to the area of external storage created by this development being first brought into use.

Reason - In the interests of visual amenity.

6.No part of any item to be stored within the external storage area hereby approved, including any part of any stacked item, shall exceed 2 metres in height above ground level.

Reason - In the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 22/06/2026 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/2023/0844
Property Ref: B01107E000
Valid date: 26/05/2023
Location: Maugers Stores Les Petites Capelles Road St. Sampson
Guernsey GY2 4GR
Proposal: Demolish existing sheds and walls to provide additional external storage, erect wall and hardstanding to south west boundary.
Applicant: PLF Properties 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 stone to be used in the construction of the new works hereby permitted shall

match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone.

Reason - In the interests of visual amenity.

5. The 1.8m high wall hereby permitted shall be rendered on both sides within 28 days of construction and shall be completed in its entirety prior to the area of external storage created by this development being first brought into use.

Reason - In the interests of visual amenity.

6. No part of any item to be stored within the external storage area hereby approved, including any part of any stacked item, shall exceed 2 metres in height above ground level.

Reason - In the interests of visual amenity.

OFFICER'S REPORT

Brief Description of the site:

Permission is sought to demolish the existing shed and construct a granite wall along the boundary with Stevenage Close. The area where the shed is currently sited will be used for external storage once removed. A 1.8m rendered blockwork wall will be constructed to screen the external storage from the streetscene.

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

Relevant History:

FULL/2012/3044 - Demolish existing shed and walls to provide additional external storage and construct granite wall - granted

Existing Use(s):

22 storage and distribution

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:

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

GP8: Design

GP9: Sustainable Development

Conclusion/Brief comment:

Planning permission was sought and granted for this development in 2012 but the permission was not implemented and has now lapsed. Since that time there has been a change to the policies against which an application must be considered.

The IDP makes provision for extensions/alterations to existing storage and distribution premises subject to other relevant policies being satisfied.

The removal of the shed together with the infilling of the granite wall would improve the appearance of the site from the streetscene and will redefine the granite boundary wall along the south-western boundary.

The inclusion of a rendered blockwork wall along the south-eastern boundary will assist to mitigate the visual impact of the external storage area. A condition is also recommended limiting the height of items stored in this area.

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.

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

Recommendation:

Grant with Conditions



Date: 23 June 2023