

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 from Bank (Use Class 15) to Administration Offices (Financial and Professional Services, Use Class 16).

LOCATION: Lloyds Bank PLC, La Grande Rue, St. Martin.

APPLICANT: Esher Investments Limited

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: 03/07/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/05/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Create Ltd: 966-3-001, -002, -003, -004, -005, -006 & -007.

Application Ref: FULL/2023/0946

Property Ref: J003850000

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.

Expiry Date: This permission will cease to have effect on 02/07/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

This decision relates only to the change of use outlined in the description of the proposal set out above. It does not permit any alteration or extension of this building. Any alteration or extension may require a separate grant of planning permission and/or approval under the Building Regulations.

Please ensure that you notify the Planning Service in writing of the date on which the change of use takes place. Once the change has been made the property will be classified as shown above. Failure to notify the Planning Service as required may lead to delay in any future property search or use class enquiry resulting from incorrect classification of the property.

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/2023/0946
Property Ref: J003850000
Valid date: 18/05/2023
Location: Lloyds Bank PLC La Grande Rue St. Martin Guernsey GY4 6LH
Proposal: Change of use from Bank (Use Class 15) to Administration Offices (Financial and Professional Services, Use Class 16).

Applicant: Esher Investments Limited

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.

INFORMATIVES

This decision relates only to the change of use outlined in the description of the proposal set out above. It does not permit any alteration or extension of this building. Any alteration or extension may require a separate grant of planning permission and/or approval under the Building Regulations.

Please ensure that you notify the Planning Service in writing of the date on which the change of use takes place. Once the change has been made the property will be classified as shown above. Failure to notify the Planning Service as required may lead to delay in any future property search or use class enquiry resulting from incorrect classification of the property.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a detached traditional pre-1900 two storey building situated to the northeast of La Grande Rue. The basement, ground, part of the first floor and the attic of the main building is currently vacant and was previously used by Lloyds Bank as an office. The remainder of the building is occupied and is used for residential purpose.

The site is situated within St Martins Local Centre and a Conservation Area as designated in the Island Development Plan.

Relevant History:

FULL/2023/0939	Change of use from Bank (Use Class 15) to Day Centre (Non-Residential Health/Welfare Service, Use Class 18).	Pending consideration
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Existing Use(s):

Office Use Class 15: Basement, ground floor, part of first floor and attic
Residential Use Class 2: Part of first floor

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:

- LC4(B): Offices, Industry and Storage and Distribution in Local Centres – Change of Use;
- GP8: Design;
- IP7: Private and Communal Car Parking;
- IP9: Highway Safety, Accessibility and Capacity.

Conclusion/Brief comment:

Planning permission is sought to change the use of the basement, ground, part of the first floor and the attic accommodation from an office providing a service for visiting members of the public (Use Class 15) into an administration office (Use Class 16).

The covering letter from the agent confirms that despite being advertised with local estate agents, the building has been unoccupied for nearly a year, and the applicant wishes to expand their offer of multiple use classes to attract a tenant moving forward. Please note an application has been submitted concurrently to change the use of the accommodation into a day centre, which is pending consideration and will be assessed separately.

The proposal intends to change the use of the existing floorspace from Office Use Class 15 to Use Class 16 only, it does not intend to increase the amount of office floorspace available and no external alterations are proposed. The proposal is therefore of an appropriate scale to support St Martins Local Centre and would not undermine the vitality of a Main Centre. The scheme would not have any unacceptable adverse impacts on neighbouring uses and complies with Policies LC4(B) and GP8 of the IDP.

Car parking exists to the rear of the site which is capable of accommodating the proposed use. The car parking and access arrangements allow for cars to access and leave the site forward facing. The scheme would not harm highway safety.

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.

The application is acceptable in relation to the above policies and other material planning considerations.

Recommendation:

Grant with Conditions



Date: 03/07/2023