

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: Install sign and projecting sign and material change to west (front) elevation, install sign to east (rear) elevation and internal alterations (Protected Building).

LOCATION: 13 Le Pollet, St. Peter Port.

APPLICANT: Mr H Nasir

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: 23/02/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/10/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Layout Plan; Holland & Barrett: NS-4225-FS01 Rev H, FS02 Rev E & Design Document Revision 4.

Application Ref: FULL/2023/1289

Property Ref: A112920000

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 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 22/02/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, the advertisements to which this permission relates is 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/2023/1289
Property Ref: A112920000
Valid date: 13/10/2023
Location: 13 Le Pollet St. Peter Port Guernsey GY1 1WQ
Proposal: Install sign and projecting sign and material change to west (front) elevation, install sign to east (rear) elevation and internal alterations (Protected Building).

Applicant: Mr H Nasir

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 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

For the avoidance of doubt, the advertisements to which this permission relates is 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 building known as both 13 Le Pollet & 13 North Plantation, is a five storey building, which faces west onto Le Pollet and east onto North Plantation. There are attached buildings to the north and south and the building is a Protected Building. The property is located in the St Peter Port Main Centre, Conservation Area, Core Retail Area and Harbour Action Area as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Retail use class 10: general retail.

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:

MC6: Retail in Main Centres

MC10: Harbour Action Areas

GP4: Conservation Areas

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

Conclusion/Brief comment:

This is a retrospective application to install signs, including a projecting sign, and a material change to the west (front) elevation of the shop, and install a sign to the east (rear) elevation and some internal alterations to the protected building.

The proposals are not considered to prejudice the outcomes of, or inhibit the implementation of an approved Local Planning Brief for the Harbour Action Area as stated in Policy MC10.

A Heritage Statement has been provided. This set out some of the proposed alterations and the reasons for undertaking the works. There was however little description of what currently exists, particularly inside the building, and no attempt was made to apportion value, impact or effect on the special interest of the protected building or to explain how the alterations are reasonable aspirations that outweigh the harm.

After deferring the application further information was submitted and the proposals have now been assessed. The vinyl window stickers, west facing fascia sign and projecting sign, and the east facing sign are all considered to be reasonable aspirations that outweigh the harm to the special interest of the protected building.

The internal work, which included replacement floors and doors and altering some partition locations, relates to modern elements and do not adversely affect the historic fabric, all of which are considered reasonable aspirations that outweighs the harm to the special interest of the protected building.

The projecting sign is positioned appropriately on the building and, whilst it is noted to not be of a traditional hanging design, it is of an appropriate size and appearance. The vinyl signs within the windows are dark in colour and not fully opaque which reduces their visual prominence.

The fascia signs are of applied lettering and positioned appropriately on each façade of the building, in the case of the east-facing sign this is at a high level but occupies the position of previous signs.

For the reasons described above the character, architectural and historic interest and appearance of the Conservation Area are considered to be conserved.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 19/02/2024

