

**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 building from storage and distribution (Use Class 22) to general retail (Use Class 10).

**LOCATION:** Southside House, Southside, St. Sampson.

**APPLICANT:** GO LPG

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:** 03/01/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 27/11/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Brian R Martel - 4258.02.02 & .03

**Application Ref:** FULL/2023/2295

**Property Ref:** B003140000

**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 02/01/2027 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](http://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](mailto: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/2023/2295  
**Property Ref:** B003140000  
**Valid date:** 27/11/2023  
**Location:** Southside House Southside St. Sampson Guernsey GY2 4QH  
**Proposal:** Change of use of section of building from storage and distribution (Use Class 22) to general retail (Use Class 10).  
  
**Applicant:** GO LPG

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

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## OFFICER'S REPORT

### Brief Description of the site:

The application relates to the change of use of part of Southside House, South Quay from the existing storage and distribution use (Use Class 22) to retail (Use Class 10) thereby extending the retail floorspace available on the site.

The building will be occupied by two companies, the existing retail enterprise fronting South Quay (Bathroom Emporium) and GO operating from the rear part of the building.

The site is located in a Main Centre, Conservation Area and Harbour Action Area as designated in the Island Development Plan.

### Relevant History:

Pre-application advice was sought in this case.

### Existing Use(s):

10 Retail  
22 storage and distribution

### Assessment: *(Tick as appropriate)*

|                     |                                     |
|---------------------|-------------------------------------|
| no representation   | <input checked="" type="checkbox"/> |
| accords with policy | <input checked="" type="checkbox"/> |
| within curtilage    | <input checked="" type="checkbox"/> |
| design acceptable   | <input checked="" type="checkbox"/> |

|                              |                                     |
|------------------------------|-------------------------------------|
| visual amenity acceptable    | <input checked="" type="checkbox"/> |
| no material neighbour impact | <input checked="" type="checkbox"/> |
| traffic not affected         | <input checked="" type="checkbox"/> |

### Policies considered most relevant:

MC6: Retail in Main Centres  
MC5(C): Industry, Storage and Distribution Uses in Main Centres and Main Centre Outer Areas - Change of Use  
MC10: Harbour Action Areas  
GP4: Conservation Areas  
GP8: Design  
GP9: Sustainable Development  
IP7: Private and Communal Car Parking

**Conclusion/Brief comment:**

The proposed change of use is minor and inconsequential and would not prejudice the outcome of a Development Brief for the Harbour Action Area and its implementation. The Island Development Plan makes provision for new retail (convenience and comparison) and the change of use away from storage and distribution uses. The proposed change of use will add to the mix of uses in this part of the Main Centre and will contribute positively to the vitality and viability of the area.

The proposal does not relate to any external alterations to the building and the use will not have a detrimental impact on the character and appearance of the Conservation Area. The change of use will not result in harm to the amenities of surrounding occupiers.

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.

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

**Recommendation:**

Grant with Conditions



**Date:** 02/01/2024

