

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: Alter vehicle access and hardstanding and remove planter.

LOCATION: Co-Op Halfway Fuel Station, Les Bas Courtils Road, St. Sampson.

APPLICANT: The Channel Islands Co-Operative Society 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: 08/02/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/12/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DRP Architecture: 3240-DR-01B & -DR-11.

Application Ref: FULL/2023/2338

Property Ref: B00070A000

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 existing eastern exit shall only be used as a two way access for a temporary period during the hereby approved resurfacing works. On completion of the hereby approved resurfacing works the existing eastern exit shall revert to exit only.

Reason - In the interests of road safety and traffic management.

Expiry Date: This permission will cease to have effect on 07/02/2027 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 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/2023/2338
Property Ref: B00070A000
Valid date: 04/12/2023
Location: Co-Op Halfway Fuel Station Les Bas Courtils Road St.
Sampson Guernsey
Proposal: Alter vehicle access and hardstanding and remove planter.

Applicant: The Channel Islands Co-Operative Society 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.

4. The existing eastern exit shall only be used as a two way access for a temporary period during the hereby approved resurfacing works. On completion of the hereby approved resurfacing works the existing eastern exit shall revert to exit only.

Reason - In the interests of road safety and traffic management.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested to alter and widen vehicle access and hardstanding and remove a section of a planter.

The application site comprises of a petrol filling station situated to the north of Les Bas Courtils Road. Surrounding the site the area comprises of an industrial unit to the north and residential to the east and west. To the south the property faces the coast.

The site is situated within a Main Centre Outer Area as designated in the Island Development Plan.

Relevant History:

06/08/2020 – FULL/2020/0890 – Permission granted for the installation of self-contained dog-wash unit adjacent to existing jet-wash facility.

10/12/2013 – FULL/2012/2699 – Permission granted to develop site to provide warehouse, petrol filling station, car wash and shop with offices above and associated parking areas. Create two vehicular entrances.

Existing Use(s):

Petrol filling station

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:

Policy MC7: Retail in Main Centre Outer Areas

Policy GP8: Design

Policy GP9: Sustainable Development

Consultations:

The Office of Environmental Health and Pollution Regulation, 27/12/2023

"I have reviewed the proposed plans for the alteration to vehicle access and hardstanding, removal of planter, and installation of a dog wash unit at the above site. There is currently insufficient information for me to comment fully on the application.

I have concerns relating to the noise impact that the proposed dog washing unit may have on existing residents and note the proposed location of the unit in relation to existing residential properties. The application contains reference to a study that indicated the unit produces 66dB at 6m, however it is not clear whether this refers to the sound power level or sound pressure level. I am also concerned that the proposed operating hours could cause a nuisance to neighbouring properties. As a result, I would look to recommend restrictions to the hours of operation, and I would welcome the applicant's thoughts on this.

I also note that there are no drainage plans submitted as part of the application, and as such I have concerns relating to the proposed drainage of the dog washing unit.

As a result of the concerns highlighted, I recommend that the following additional information is supplied as part of the application for the dog washing unit:

1. Manufacturer's noise specification
2. Proposed drainage system

I would be grateful if these issues are considered during the determination of this application".

Conclusion/Brief comment:

During the course of consideration the application was deferred due to concerns about the siting of the originally proposed dog wash unit and the potential to cause nuisance to neighbouring properties and the loss of bicycle parking. The application has subsequently been revised and the dog wash unit has been omitted from the application thereby addressing the concerns of OEHPR.

The alterations to the access and hardstanding achieve a satisfactory standard of design and would have no adverse effects on the character and visual amenity of the area. Provided that the existing eastern exit is only used as a two way access for a temporary period during the resurfacing works before reverting to an exit only, the proposal is unlikely to have any significant adverse effects on road safety and traffic management.

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.

It is recommended that the application is approved.

Recommendation:

Grant with Conditions



Date: 08/02/2024

