

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 and remove existing outbuilding and creation of additional parking to north-west of site.

LOCATION: The Fort Complex, Les Tracheries Road, St. Sampson.

APPLICANT: Olga 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: 15/02/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/12/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Brian R Martel: 4262.02.01.

Application Ref: FULL/2023/2462

Property Ref: B01815A000 & B018190000

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 14/02/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the proposed parking space to be used only for purposes ancillary and incidental to the use of The Fort Complex. Any use associated outside of the Complex, such as renting the car parking space to a neighbouring property, would 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/2023/2462
Property Ref: B01815A000 & B018190000
Valid date: 15/12/2023
Location: The Fort Complex Les Tracheries Road St. Sampson Guernsey
Proposal: Demolish and remove existing outbuilding and creation of additional parking to north-west of site.

Applicant: Olga 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

For the avoidance of doubt, this decision permits the proposed parking space to be used only for purposes ancillary and incidental to the use of The Fort Complex. Any use associated outside of the Complex, such as renting the car parking space to a neighbouring property, would require a separate grant of planning permission.

OFFICER'S REPORT

Brief Description of the site:

The application site consists of a large elongated building sited to the east of the site, with car parking provision to the west of the building, served by an 'in-and-out' driveway.

It is understood that the building consists of a number unrelated offices and is thought to feature a room for public assembly/public worship as approved under permission FULL/2015/0681. The parking area features a paved strip which enables vehicles to manoeuvre through the site, with allocated parking spaces on either side of the paved surface.

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

Planning permission is sought to demolish and remove an existing outbuilding and to create an additional car parking space to the north-west of the site. Notwithstanding the drawings submitted, the land directly to the west of the existing outbuilding and north of the brick paving is currently used for car parking.

Relevant History:

FULL/2015/2584	Install air conditioning unit on east elevation of building.	Granted
FULL/2015/0681	Change of use from retail to Use Class 27 (Public Assembly/Public Worship)	Granted
FULL/2014/1105	Change of use of ground floor retail unit to office (Use class 21 - administrative, financial and professional services).	Granted

Existing Use(s):

Mixed use – Offices and Public amenity

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:

OC3 Offices, industry and Storage and Distribution Outside of the Centres
GP8 Design
GP9 Sustainable Development
IP7 Private and Communal Car Parking

Conclusion/Brief comment:

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.

The preceding text of Policy OC3 states that:

“Proposals to extend, alter or redevelop existing industrial, storage and distribution or office uses located Outside of the Centres will be supported where the proposals would have no adverse effect on the amenities of neighbouring occupiers, would not adversely affect highway safety and the free flow of traffic and where the development respects the scale and character of the surrounding area...”

The proposal would have a negligible effect on the character and appearance of the surrounding area when viewed in context with the site as a whole. The proposal would not affect the amenities of neighbouring residents, nor would it adversely affect highway safety or traffic management by the creation of extra car parking space.

In addition, the proposal will not have a detrimental effect on the remaining area of landscaping of the site, and the proposed materials would match that of the existing car park (Policy GP8).

The proposed development would not be contrary to Policy IP7.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:
Grant with Conditions



Date: 12/02/24

