

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 General Retail (Use Class 10) to an Off-Licence and wine-tasting business.

LOCATION: 9 The Bridge, St. Sampson.

APPLICANT: Mr J Sebire

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: 08/05/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 02/04/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Site Location Plan 1:1250, Block Plan 1:500 and proposed layout/floor plan

Application Ref: FULL/2024/0531

Property Ref: B003310000

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 08/05/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The applicant is advised that this grant of planning permission does not include any alterations to signage, and should new signage be proposed planning permission is likely to be required.

The applicant is advised to contact the Office of Environmental Health and Pollution Regulation to discuss food safety and hygiene prior to changing the use of the premises.

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/2024/0531
Property Ref: B003310000
Valid date: 02/04/2024
Location: 9 The Bridge St. Sampson Guernsey GY2 4QP
Proposal: Change of use from General Retail (Use Class 10) to an Off-Licence and wine-tasting business.
Applicant: Mr J Sebire

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

The applicant is advised that this grant of planning permission does not include any alterations to signage, and should new signage be proposed planning permission is

likely to be required.

The applicant is advised to contact the Office of Environmental Health and Pollution Regulation to discuss food safety and hygiene prior to changing the use of the premises.

OFFICER'S REPORT

Brief Description of the site:

The site is occupied by a two-storey building, with shop front to ground floor. The proposal is to change the use of the building from General Retail (use class 10) to an off-licence/wine shop and wine bar/wine tasting venue, which is considered to be a mix of General Retail (Class 10) and Food and Drink (Class 11).

The site is located within the Conservation Area, Core Retail Area, Harbour Action Area and Regeneration Area, as designated in the Island Development Plan (IDP).

Relevant History:

N/A

Existing Use(s):

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

☒
☒
☒

Consultations:

Environmental Health were consulted on the application but have not raised any objections to the proposal. They have asked the applicant to contact the OEHPR to discuss food safety and hygiene requirements prior to the change of use, and this will be applied as an informative note.

Policies considered most relevant:

GP4 – Conservation Area
GP8 – Design
GP9 – Sustainable Development

MC6- Retail in Main Centres
MC10 – Harbour Action Areas
MC11 – Regeneration Areas

Conclusion/Brief comment:

The proposed change of use to include food/drink retail is considered acceptable in relation to Policy MC6 which supports proposals to extend, alter or redevelop existing retail premises. The proposed use to include food/drink retail is required due to the scale of the proposed wine bar/tasting use in both terms of floor area and hours of operation.

Environmental Health have no objection to the proposal, and the impacts on neighbour amenity are considered acceptable due to the Main Centre location where the proposed use will help contribute to the vitality and viability of the centre and the evening economy.

The proposed changes are unlikely to have an impact on the special interest of the Conservation Area as they are internal only and so Policy GP4 is satisfied. Any proposed signage would need an additional application.

The proposal is considered to comply with Policies MC10 and MC11 as it is unlikely to prejudice the outcome, or inhibit the implementation of any future planning brief or development frameworks in this area.

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: 07/05/2024

