

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: Internal alterations to form pharmacy (Protected Building).

LOCATION: The Market Building, Market Square, St. Peter Port.

APPLICANT: Co-Operative House

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: 14/05/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/04/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton Associates - 2427/01.01, 01.02, 02.01A & 02.02. Anderson Retail Consultants - 567-02e & 03b.

Application Ref: FULL/2024/0632

Property Ref: A400020000

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. Notwithstanding the details submitted, the historic pilasters with their bases, frieze and bulls head motif shall be retained and protected in-situ in their entirety during the works.

Reason - To preserve the special interest of the protected building.

5. The proposed pharmacy and associated shop fit-out shall be freestanding, with no fixings into the historic fabric of the building.

Reason - To preserve the special interest of the protected building.

6. The gates and any associated rails and supports to both the north-west and the south-east (onto Fountain Street) of the room in question shall be retained and protected in-situ and in their entirety during and after the works.

Reason - To preserve the special interest of the protected building.

Expiry Date: This permission will cease to have effect on 14/05/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

It is understood that the proposed structure will be freestanding and will involve no fixings into historic fabric. If any alterations to the existing fabric of the building is required including fixings, full details must be submitted to the Authority for further consideration and approval prior to works being carried out.

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/2024/0632
Property Ref: A400020000
Valid date: 16/04/2024
Location: The Market Building Market Square St. Peter Port Guernsey
GY1 1HE
Proposal: Internal alterations to form pharmacy (Protected Building).
Applicant: Co-Operative House

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. Notwithstanding the details submitted, the historic pilasters with their bases, frieze and bulls head motif shall be retained and protected in-situ in their entirety during the works.

Reason - To preserve the special interest of the protected building.

5. The proposed pharmacy and associated shop fit-out shall be freestanding, with no fixings into the historic fabric of the building.

Reason - To preserve the special interest of the protected building.

6. The gates and any associated rails and supports to both the north-west and the south-east (onto Fountain Street) of the room in question shall be retained and protected in-situ and in their entirety during and after the works.

Reason - To preserve the special interest of the protected building.

INFORMATIVES

It is understood that the proposed structure will be freestanding and will involve no fixings into historic fabric. If any alterations to the existing fabric of the building is required including fixings, full details must be submitted to the Authority for further consideration and approval prior to works being carried out.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested for internal alterations to remove the existing shop fittings and to install replacement fittings to form a pharmacy.

The market buildings are a prominent complex of historic buildings within the centre of Town that were subject to redevelopment in the mid-2000s. The buildings now accommodate a variety of retail uses on the ground floor with predominantly offices above.

The whole of the building complex is protected under a single listing and the site falls within a Conservation Area, Main Centre Inner Area and Core Retail Area under the Island Development Plan. There are a large number of other protected buildings in close proximity.

Relevant History:

11/01/2021 – FULL/2020/2009 – Permission granted for internal alterations to Post Office counter including associated office space and parcel desk (protected building).

Existing Use(s):

Retail Use Class 9 – Convenience 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

GP4 – Conservation Areas

GP5 – Protected Buildings

GP8 – Design

GP9 – Sustainable Development

Conclusion/Brief comment:

Policy MC6 supports alterations to or the redevelopment of existing retail premises. The proposal to form a pharmacy will retain the principal retail use of the unit.

The plans show that the work is restricted to removing a modern shop fit out and replacing it with a more enclosed box to be used as a pharmacy. It would have little effect on the special interest of the area or the markets overall provided that no historic fabric is damaged or altered. In this respect the plans are lacking in notations but the covering letter from the agent advises that the structure will be “freestanding and does not require any support or fixings into the historic fabric of the market building”. Conditions are recommended to ensure that no historic fabric is damaged or altered as a result of the works.

The proposed structure covers over a door to Fountain Street but as the door will remain visible from the outside the harm to the special interest of the building would be limited. Overall the proposal accords with Policies GP4 and GP5.

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: 14/05/2024