

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 showroom and vehicle part sales to administrative office (Use Class 16).

LOCATION: Landes Du Marche Garage, Landes Du Marche Road, Vale.

APPLICANT: Landes Du Marche Garage Ltd

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: 31/07/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/06/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Hunt Brewin - 17420.02.01

Application Ref: FULL/2024/0997

Property Ref: C019580000

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. Prior to the implementation or first use of the ground floor office hereby permitted, revised floor plans detailing internal interconnections between the ground and first floor offices to form one integrated office shall be submitted to and agreed in writing by the Authority, and no part of the ground floor office hereby permitted shall be used or occupied until the agreed scheme has been fully implemented.

Reason - The application proposes the ground floor office to be used as an extension to the existing office and has been assessed on that basis under Policy OC3.

5. Prior to the implementation or first use of the ground floor office hereby permitted, a scheme showing the provision to be made for the parking of cycles, under cover and secure, has been submitted to and agreed in writing by the Authority, and no part of the ground floor office hereby permitted shall be used or occupied until the agreed scheme has been fully implemented.

Reason - To encourage the use of bicycles as an alternative to the car.

Expiry Date: This permission will cease to have effect on 31/07/2027 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/2024/0997
Property Ref: C019580000
Valid date: 06/06/2024
Location: Landes Du Marche Garage Landes Du Marche Road Vale
Guernsey GY6 8LX
Proposal: Change of use from showroom and vehicle part sales to
administrative office (Use Class 16).

Applicant: Landes Du Marche Garage Ltd

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. Prior to the implementation or first use of the ground floor office hereby permitted, revised floor plans detailing internal interconnections between the ground and first floor offices to form one integrated office shall be submitted to and agreed in writing by the Authority, and no part of the ground floor office hereby permitted shall be used or occupied until the agreed scheme has been fully implemented.

Reason - The application proposes the ground floor office to be used as an extension to the existing office and has been assessed on that basis under Policy OC3.

5. Prior to the implementation or first use of the ground floor office hereby permitted, a scheme showing the provision to be made for the parking of cycles, under cover and secure, has been submitted to and agreed in writing by the Authority, and no part of the ground floor office hereby permitted shall be used or occupied until the agreed scheme has been fully implemented.

Reason - To encourage the use of bicycles as an alternative to the car.

OFFICER'S REPORT

Site Description:

Landes Du Marche Garage is recognised as a mixed use site including a garage workshop, a car showroom and garage forecourt with associated convenience store, with independent office accommodation on the upper floor. The site is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

04/05/2023 – PREA/2023/0573 – Pre-application advice regarding change of use from showroom and workshop to administrative office (Use Class 16).

26/06/2020 – FULL/2020/0451 – Permission granted for the change of use of first floor from flat (Residential Use Class 2) to office (Administrative, Financial and Professional Services Use Class 16).

10/06/2020 – FULL/2020/0387 – Application refused for the change of use of part ground floor from car showroom to extend convenience retail use.

01/11/2019 – FULL/2019/1515 – Application refused for the change of use of car showroom to extend convenience retail and vehicle workshop uses.

Existing Use(s):

The overall use of the site is sui generis: Mixed use site with a garage workshop to the rear, a car showroom in the middle, a convenience retail unit to the front of the building and a garage forecourt.

The upper floor comprises of office accommodation, falling within Use Class 16, of the Land Planning and Development (Use Classes) Ordinance, 2017.

Brief Description of Development:

Planning permission is requested to extend the existing first floor office through the change of use of a section of the ground floor measuring 370sqm from a vehicle showroom and vehicle part sales to an administrative office (Use Class 16).

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

OC3 - Offices, Industry and Storage & Distribution Outside of the Centres

OC4 – Retail Outside of the Centres

GP8 - Design

GP9 - Sustainable Development

IP6 – Transport infrastructure and support facilities

IP7 - Private and Communal Car Parking

IP9 – Highway Safety, Accessibility and Capacity

Representations:

None

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. The principle of office conversion.
2. The impact of the development on the character and appearance of the area.
3. Parking provision, road safety and traffic management

Assessment against:

- 1 - Purposes of the law.
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.
- 3 - General material considerations set out in the General Provisions Ordinance.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The car showroom forms part of the overall mixed use of the site and, at the time of its approval, it was noted that the showroom should remain affiliated to the principal use of the property as a garage. Whilst the overall use of the site is sui generis, falling outside of the use classes, the nature of the showroom use is recognised as a comparison type retail activity and therefore Policy OC4 would be relevant when considering a change of use of the showroom. Policy OC4 states that changes of use away from comparison or convenience retail will be supported, providing that the proposal accords with all other relevant policies of the Island Development Plan.

The application is proposed as an extension to the existing first floor office and the agent advises that the offices will be interconnected by the main entrance and the internal staircase. The submitted plans detail no internal connections but the agent has reconfirmed that the intention is to create an internal doorway by the entrance/staircase in order to form one integrated office. Provided that revised floor plans are submitted to clearly show the integrated and internal connections of the ground and 1st floor offices, the proposal could be assessed as an extension to the existing office. The submission of revised floor plans can be dealt with by condition.

Policy OC3 supports the extension of existing offices where the development is of a scale and form that respects the character of the surrounding area and does not detract from the amenities of existing surrounding uses; the development would not jeopardise highway safety and the free flow of traffic; the site is laid out to achieve the most effective and efficient use of land; and the proposal includes an appropriate soft landscaping scheme.

The proposal would amount to a 70% increase in the floorspace of the existing first floor office. However, it would involve the change of use of existing floorspace and it would not involve any extensions to the footprint of the existing building. The overall scale of the proposed office could be accommodated on the existing mixed use commercial site without having any significant adverse effects on the character of the surrounding area and the amenities of neighbouring uses. Car parking provision for the entire office would be adequate and there would be scope to provide bicycle storage. Based on the stated car parking numbers a minimum of 5 covered and secure bicycle parking spaces would be required for employees, this can be dealt with by condition. Access to the site via a Traffic Priority Route is good and the use of the ground floor for an office is unlikely to result in any significant road safety or traffic management issues. The use of the existing ground floorspace constitutes an effective and efficient use of an existing building. No extensions or external alterations are proposed to the building, the site is an existing mixed use commercial site and the proposal will not change the visual appearance or visual impact of the existing site. As such, a soft landscaping scheme is not necessary in this case. Overall the proposed change of use of the showroom to form an extension of the existing 1st floor office accords with Policy OC3.

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.

Date: 31/07/2024

