

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 Estate Agents (Use Class 15) to General Retail (Use Class 10) (Retrospective).

LOCATION: 32 Gategny Esplanade, St. Peter Port.

APPLICANT: Blush Bridal Boutique

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: 07/11/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/10/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: 1:200 scaled block plan (date stamped received 14/08/24), & Ground floor layout plan (date stamped received 03/10/24)

Application Ref: FULL/2024/1399

Property Ref: A109920000

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 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 07/11/2027 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/2024/1399
Property Ref: A109920000
Valid date: 10/10/2024
Location: 32 Gategny Esplanade St. Peter Port Guernsey GY1 1WR
Proposal: Change of use from Estate Agents (Use Class 15) to General Retail (Use Class 10) (Retrospective).

Applicant: Blush Bridal Boutique

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 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.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a single storey terraced type property situated to the west of Gategny Esplanade and to the south of Well Road. Surrounding the site the

area comprises a mixture of uses with offices, residential, retail and healthcare facilities.

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

Relevant History:

The site was the subject of pre-application discussions.

Existing Use(s):

Estate Agents (Use Class 15)

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:

Island Development Plan policies:

MC4(A): Office Development in Main Centres
MC6: Retail in Main Centres
GP4: Conservation Areas
GP8: Design
GP9: Sustainable Development
IP7: Private and Communal Car Parking

Conclusion/Brief comment:

The IDP makes provision for both the change of use away from office accommodation where the floorspace is less than 250sqm and for new convenience and comparison retail within Main Centre Inner Areas. The principle of the change of use from an Estate Agents (office) to general retail (Retail Use Class 10) is therefore acceptable.

The site is located in an area with a mix of uses including commercial, residential and retail premises. The use of the ground floor for retail purposes will not conflict with adjoining uses nor result in harm to residential amenity.

No external alterations were required, or are proposed and the scheme will not have a detrimental impact in the character and appearance of the Conservation Area.

Although no car parking or bicycle parking is included for the intended use, the Parking Standards and Traffic Impact Assessment SPG requires parking provision for retail uses in Main Centre Inner Areas to be 'assessed on merits'. Situated close to main bus routes the site is accessible by other more sustainable means of transport than the motor car. The site is also within walking distance from Salerie Corner and North Beach car parks both of which have covered bicycle parking available. Considering the above the proposal would not cause any detriment to highway safety and complies with the provisions of Policy IP7.

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 application is acceptable in relation to the above policies and other material planning considerations.

Recommendation:

Grant with Conditions



Date: 07/11/2024