

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: Erect temporary signage to hoarding boards to north-west of site.

LOCATION: Marks & Spencer, Les Merriennes, St. Martin.

APPLICANT: West Quay Holdings 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: 07/03/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/02/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne: K73-10106-S1-31 & -S1-14A.

Application Ref: FULL/2025/0204

Property Ref: J003920000

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 06/03/2028 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/2025/0204
Property Ref: J003920000
Valid date: 04/02/2025
Location: Marks & Spencer Les Merriennes St. Martin Guernsey
Proposal: Erect temporary signage to hoarding boards to north-west of site.

Applicant: West Quay Holdings 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.

OFFICER'S REPORT

Brief Description of the site:

The application site is situated to the east of Les Merriennes and north of La Grande Rue. The site frontage is occupied by a petrol filling station forecourt behind a low boundary wall. Vehicular access to this site is from Les Merriennes, adjacent to the north site boundary, with the exit to the south onto La Grande Rue. There is an existing forecourt canopy to the east elevation of the building with a flat roof building with granite exterior and high level windows behind which forms the existing Marks and Spencers food hall and attached to the east elevation is a pitched roof building the exterior of which is functional in appearance in line with its use (window and door supplier) and with various roller shutter doors installed.

To the north of the wider commercial site is Vets4Pets with areas of parking available to the east and west of this adjoining use and to the east of the Marks and Spencers building. The easternmost part of the site has a loose gravel finish and appears to be used as overflow parking for the site. To the southeast of the existing exit point for the site is a two and a half-storey pitched roof building with retail showroom at ground floor level and the appearance of residential accommodation above. Beyond this to the southeast is a two and a half storey building with double piled roof and gables facing the road. The ground floor has a shopfront installed, with fascia over and again, the upper floor appears to be in domestic use.

Other commercial properties are situated to the southeast of the site and across the road to the west in La Grande Rue

Residential properties exist to the north of the site in Les Merriennes and Rue De L'Eglise and to the west and south in Les Merriennes and La Grande Rue.

There are a number of Protected Buildings within the vicinity of the application site.

The site is located in a Local Centre and Conservation Area as designated in the Island Development Plan.

Relevant History:

Permission was granted in 2015 for the change of use of a building on the site to a veterinary surgery with subsequent applications for an entrance canopy along with the erection of a replacement workshop adjacent to the Vets4Pets building. In 2023 permission was granted for the change of use of the workshop/storage building and for the veterinary practice to extend into the space.

FULL/2024/0256 - Demolish petrol station canopy, remove petrol pumps (sui-generis) and infill vehicular access, change of use from light industry (Use Class 24) to retail and erect extensions to retail unit (Use Class 9) front/northwest elevation and

side/northeast elevations. Extend car park (eastern part of site) and associated works – granted

Existing Use(s):

Mixed use

- retail food outlet (convenience retail - shops selling everyday goods such as food, drink, cleaning products etc.)
- light industry (window manufacture)
- associated car parking

Assessment: *(Tick as appropriate)*

no representation

--

accords with policy

x

within curtilage

x

design acceptable

x

visual amenity acceptable

x

no material neighbour impact

x

traffic not affected

x

Policies considered most relevant:

Island Development Plan policies:

LC4(B): Offices, Industry and Storage and Distribution in Local Centres - Change of Use

LC5: Retail in Local Centres

GP4: Conservation Areas

GP8: Design

GP9: Sustainable Development

IP6: Transport infrastructure and support facilities

IP7: Private and Communal Car Parking

IP9: Highway Safety, Accessibility and Capacity

Parking Standards and Traffic Impact Assessment SPG

Representation:

One letter of objection has been received.

Conclusion/Brief comment:

Class 5 of the Exemptions Ordinance makes provision for the erection of fencing (such as the hoarding shown) for a temporary period but sets out that it shall be “permanently removed from the site upon completion of those operations, or within three years of [its] erection, installation or siting, whichever is sooner.”

A significant level of advertising is proposed on the hoarding associated with the redevelopment works approved on site. Whilst the works would impact on the character and appearance of the Conservation Area they would be in situ for the duration of works only (and for a maximum of three years) thereby resulting in impacts that are both temporary and reversible.

On balance therefore, the proposed advertising would not have an unacceptable adverse impact on the character and appearance of the Conservation Area nor on residential amenity.

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.

In view of the above it is recommended permission is granted for the proposed signage. Given the limitation on the duration the hoarding can remain in situ it is not deemed necessary to impose a condition regarding the removal of the signage as the removal of the hoarding will result in the removal of this signage.

Recommendation:

Grant with Conditions



Date: 06/03/2025

