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 hot food takeaway (Use Class 12).

LOCATION: 4 The Quay, St. Peter Port.

APPLICANT: M & D 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: 04/06/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/05/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Site Location Plan, Block Layour Plan and Floor Plan

Application Ref: FULL/2025/0564

Property Ref: A113390000

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 03/06/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-
The applicant is advised that the installation of any signage may require an additional planning application and further advice should be sought on this prior to its installation.
The applicant is requested to please contact the Office of Environmental Health and Pollution to discuss the proposal prior to first use, by email at envhealth@gov.gg or call 01481 221161.

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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2025/0564
Property Ref:	A113390000
Valid date:	06/05/2025
Location:	4 The Quay St. Peter Port Guernsey GY1 2NA
Proposal:	Change of use from general retail (Use Class 10) to hot food takeaway (Use Class 12).
Applicant:	M & D Limited

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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 the installation of any signage may require an additional planning application and further advice should be sought on this prior to its installation.
The applicant is requested to please contact the Office of Environmental Health and Pollution to discuss the proposal prior to first use, by email at envhealth@gov.gg or call 01481 221161.

OFFICER'S REPORT

Brief Description of the site:
The application site comprises of 4 The Quay which is the ground floor premises immediately adjacent to the Quay steps which come down from the High Street next to Boots. The unit is currently vacant, and its last use was general retail (use class 10).

The site is located within the Conservation Area, Main Centre, Core Retail Area and Harbour Action Area as designated in the Island Development Plan (IDP). In addition, the building is a pre-1900 building, and is adjacent to the protected monument of the Quay Steps.

Relevant History:

FULL/2016/0268- Change of use from estate agents office (administrative, financial and professional use class 21) to retail shop (retail use class 14).

Existing Use(s):
10 General Retail

Assessment: *(Tick as appropriate)*

no representation	✓	visual amenity acceptable	✓
accords with policy	✓	no material neighbour impact	✓
within curtilage	✓	traffic not affected	✓
design acceptable	✓		

Policies considered most relevant:
MC6: Retail in Main Centres
MC10: Harbour Action Areas
GP4: Conservation Area
GP6: Protected Monument
GP8: Design
GP9: Sustainable Development

Policy 4.1 of the Local Planning Brief for the St Peter Port and St Sampson Harbour Action Areas

Consultations:
The Office of Environmental Health and Pollution Regulation were consulted on the application and have not raised any objections to the proposals as submitted but have requested the applicants contact them to discuss their plans prior to any internal structural works taking place.

Conclusion/Brief comment:

The application proposes the change of use from general retail (use class 10) to hot food takeaway (use class 12) which involves the sale of hot food for consumption off the premises. The proposed use states that no food is to be prepared or cooked on the premises, however the primary use is a French-themed takeaway/deli/bakery and food shop where light meals, snacks, hot and cold beverages and dry stock products are purchased for consumption at home or elsewhere. There are a limited number of tables proposed for onsite consumption, and given the restricted floor area of the unit, this is considered ancillary to the main takeaway use.

The proposed change of use is considered appropriate within the Main Centre where new convenience and comparison retail provision is supported and encouraged. The location of the unit within the Harbour Action Area means that Policy MC10 is also relevant, along with the recently approved Local Planning Brief for St Sampson and St Peter Port Harbour Action Areas is relevant. Policy 4.1 of the LPB encourages and supports tourism and leisure through new and expanded uses including restaurants and cafes, and so the proposal is acceptable in relation to this policy.

In terms of amenity, the use is unlikely to generate a significantly harmful amount of noise or disturbance beyond that which could reasonably be expected within the town centre. Environmental Health have assessed the application and asked the applicants to contact them to discuss the application, but raised no objection to the proposal.

No harmful impacts on the Conservation Area or Protected Monument are expected, as no physical works are proposed to the exterior and the change of use is unlikely to result in harm to the special interest of either heritage asset. Any signage will require an additional application.

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: 02/06/2025