

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: Variation to previously approved plans to erect temporary retail unit and portacabins (temporary staff facilities) to east of site. Erect 2m high fencing (north, east and south boundaries) and temporary 2.4m high fencing (south boundary) - Alter floor area of staff portacabin and omit fence to north boundary.

LOCATION: M&S St Martin, 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: **24/10/2025**

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/09/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne: K73-10106 S1-17H, 18M, 33A

Application Ref: FULL/2025/1401

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 on or before 19/06/2028.

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. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 20/06/2025, issued under planning application reference FULL/2025/0516, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

Expiry Date: This permission will cease to have effect on 19/06/2028 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/2025/1401
Property Ref: J003920000
Valid date: 11/09/2025
Location: M&S St Martin Les Merriennes St. Martin Guernsey GY4 6NS
Proposal: Variation to previously approved plans to erect temporary retail unit and portacabins (temporary staff facilities) to east of site. Erect 2m high fencing (north, east and south boundaries) and temporary 2.4m high fencing (south boundary) - Alter floor area of staff portacabin and omit fence to north boundary.

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 on or before 19/06/2028.

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. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 20/06/2025, issued under planning application reference FULL/2025/0516, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

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 was occupied by a petrol filling station forecourt behind a low boundary wall although work has now commenced on the removal of this filling station and hoarding has been erected. 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 Spencer's food hall and attached to the east elevation is a pitched roof building the exterior of which is functional in appearance and with various roller shutter doors installed.

Vets4Pets is situated to the north along with areas of parking available to the east and west of this adjoining use and to the east of the Marks and Spencer's building. The easternmost part of the site has a loose gravel finish and is used as overflow parking for the site. It is this area of the site to which this application relates.

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.

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

Relevant History:

The site has a lengthy planning history, the following applications are the most recent and relevant:

FULL/2025/0204 - Erect temporary signage to hoarding boards to north-west of site - granted

FULL/2025/0516 – Erect retail unit with associated storage (temporary structure) and portacabins (temporary staff facilities) to east of site. Erect 2m high fencing (north, east and south boundaries) and temporary 2.4m high fencing (south boundary) – granted

FULL/2025/1095 – Variation to previously approved plans to demolish petrol station (sui-generis) and infill vehicle access, change of use from light industry (Use Class 24) to retail and erect extension to retail unit (Use Class 9) to front/northwest elevation and side/northeast elevation and associated works - Raise and alter roof eaves height, alter ramp access to south elevation and alter car parking/cycle and trolley store layout – granted

FULL/2025/1168 - Install electrical cupboard to south boundary of building and install temporary plant equipment to west (front) and east (rear) elevations – granted

FULL/2025/1531 – Erect signage to west (front) elevation of temporary retail unit – under consideration

Existing Use(s):

Various uses on the site – retail, veterinary practice, warehouse, carpark

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:

Island Development Plan policies:

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

A Retail Strategy for Guernsey (December 2013) - whilst this strategy is over 10 years old, this information helps to give context to the IDP policies in relation to retail

Consultation:

Office of Environmental Health and Pollution Regulation - Having compared this submission with the proposals approved under FULL/2025/0516 and FULL/2025/1168, I note that the 2-metre-high fence was not required or being installed for any acoustic mitigation purposes. The fencing does not form part of any agreed noise control measures associated with the development.

On this basis, I have no objection to the proposed variation and raise no concerns on noise or environmental health grounds.

Conclusion/Brief comment:

The application seeks to vary the approved scheme for a temporary retail unit on the site with a reduction in the size of the portacabin (staff facilities) proposed and the omission of fencing to the north site boundary. The submission outlines that the occupiers of a neighbouring property is concerned about the effect of the approved fence on the existing hedge in terms of light/growth.

The north site boundary is marked by hedging which offers an element of screening of the temporary retail unit, parking (which has previously existed on a more informal basis) and the associated facilities connected with this temporary use. The hedging provides an appropriate boundary feature and the omission of the fence is acceptable.

The changes to the staff facilities are also limited without unacceptable harm to the character and appearance of the Conservation Area or the amenities of surrounding residential occupiers.

Confirmation is provided in the submission that any reference to the external chillers/mechanical equipment is the subject of a separate 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.

In view of the above it is recommended permission is granted.

Recommendation:

Grant with Conditions



Date: 23/10/2025