

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 of section of building from Tyre Company to Motor Mall, alterations to create 2 shop fronts and install 3 signs to north-west and south-east elevations.

LOCATION: St Martins Tyre Company, La Grande Rue, St. Martin.

APPLICANT: Van Mossel Jacksons

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: 03/12/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 17/10/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne: D25-10822/S1-01, /S1-02 & /S1-03.

Application Ref: FULL/2025/1636

Property Ref: J001810000

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. No use of the premises shall be carried out other than between 08:30 hours - 18:00 hours on Mondays to Fridays, 08:30 hours - 18:00 hours on Saturdays, and 10:00 - 16:00 on Sundays.

Reason - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

5. The premises shall be used only for a vehicle showroom (sui generis use) and for no other purpose set out in the Land Planning and Development (Use Classes) Ordinance, 2017, or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

Expiry Date: This permission will cease to have effect on 02/12/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, the advertisements to which this permission relates are non-illuminated. Any form of illumination, whether by external or internal means, will require a separate grant of planning permission.

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/2025/1636
Property Ref: J001810000
Valid date: 17/10/2025
Location: St Martins Tyre Company La Grande Rue St. Martin
Guernsey
Proposal: Change of use of section of building from Tyre Company to
Motor Mall, alterations to create 2 shop fronts and install 3
signs to north-west and south-east elevations.
Applicant: Van Mossel Jacksons

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. No use of the premises shall be carried out other than between 08:30 hours - 18:00 hours on Mondays to Fridays, 08:30 hours - 18:00 hours on Saturdays, and 10:00 -

16:00 on Sundays.

Reason - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

5. The premises shall be used only for a vehicle showroom (sui generis use) and for no other purpose set out in the Land Planning and Development (Use Classes) Ordinance, 2017, or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

INFORMATIVES

For the avoidance of doubt, the advertisements to which this permission relates are non-illuminated. Any form of illumination, whether by external or internal means, will require a separate grant of planning permission.

OFFICER'S REPORT

Site Description:

The application site has a mixed-use and includes Island House, St Martin's Garage, Matalan and St Martin's Tyre Company, all under the same ownership.

The building in question to the rear of the site houses both Matalan and St Martin's Tyre Company. Most of the building is single storey, finished with a corrugated metal roof. The current use of the building is split between general retail (Matalan) and general industry (St Martin's Tyre Company). The building is used as a workshop with associated storage. Externally, a car park lies to the front (north-west) of the building, with both additional car parking and car sales to the rear (south-east).

The property is in St Martin's Local Centre as designated on the Island Development Plan (IDP) Proposals Map.

Planning permission was granted earlier this year (application ref: FULL/2025/1014) to change the use of the ground floor of Island House (located to the front of the site) from a car showroom to a convenience retail store (Retail use class 9: convenience retail).

Relevant History:

FULL/2025/1014	Change of use of ground floor from car showroom to convenience retail (Use Class 9) and associated works.	Granted
----------------	---	---------

FULL/2015/1523	Change of use of front of rear showroom to shop (Retail use class 14).	Granted
FULL/2015/0829	Change of use from shop to car showroom, remove car wash and equipment and alter car parking areas.	Granted
FULL/2014/1721	Change of use of front of rear showroom to shop, storage and sorting.	Granted
FULL/2013/0997	Change of use of front of rear showroom to shop (Retail use class 14) with ancillary storage and sorting	Refusal
FULL/2012/3458	Change of use of front of rear showroom to shop (Retail Use Class 14).	Refusal
FULL/2012/2228	Change of use of forecourt shop to shop (Retail Use Class 14) and for the sale of fuel.	Granted
FULL/2012/1766	Remove two existing fuel pump points and extend existing forecourt shop to front (south) elevation, install new windows and door to side (east) elevation and install door to west elevation.	Granted
FULL/2012/0378	Change of use of ground floor car showroom to retail use, alterations to form new entrances and fire exits, create paved area and install new bollards.	Granted

Existing Use(s):

General industry - St Martins Tyre Company.
General retail - Matalan.

Brief Description of Development:

The application seeks to change the use of part of the ground floor workshop/garage (general industry) to a car showroom (*sui generis*). The existing storage associated with St Martin's Tyre Company will remain unchanged and will be separated from the proposed car showroom associated with Motor Mall.

The agent's covering letter dated 30th September sets out that the proposal seeks to relocate Motor Mall from the existing Island House premises and temporarily repurpose part of the St Martin's Tyre Company internal space to accommodate a small showroom. The proposed reconfiguration will involve converting approximately half of the existing tyre company's space into a new car showroom.

The internal floor area of the proposed car showroom would be approximately 424sqm.

Several changes are proposed to the fenestration to the front and rear of the site, together with new signage, reused from the existing premises.

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

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 parking

IP9 Highway Safety, Accessibility and Capacity

Supplementary Planning Guidance – Parking Standards and Traffic Impact Assessment (2016)

Representations:

None received, although a question was raised over the display of the site notice.

Consultations:

None.

Summary of Issues:

- Whether the change of use is acceptable in principle.
- The impact of the development on the character and appearance of the area.
- The impact of the development on neighbour amenity.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Change of use

Planning permission was granted earlier this year to change the use of the ground floor of Island House from a car showroom to a convenience retail store (Retail use class 9: Convenience retail). The current proposal seeks to relocate Motor Mall from the existing Island House premises and temporarily repurpose part of the St Martin's Tyre Company internal space to accommodate a small showroom. The proposed

reconfiguration will involve converting approximately half of the existing tyre company's space into a new car showroom.

The overall site has a mixed use which includes comparison retail, car showroom and an approved use for convenience retail as well as industry in the form of a workshop/garage for the St Martin's Tyre Company. The current proposal would reduce the size of the industrial area which accommodates the St Martin's Tyre Company to temporarily relocate the car showroom but would not represent the loss of the industrial use which would remain, albeit at a smaller scale. In these circumstances the proposal is not considered to conflict with Policy LC4(B): Offices, Industry and Storage and Distribution in Local Centres – Change of Use.

Policy LC5: Retail in Local Centres makes provision for limited works to alter and/or extend existing comparison retail outlets provided they are of a limited scale to provide for minor alterations to facilitate the continuation of the existing retail use at its current level of operation. In this case, the existing comparison retail use (Motor Mall) is continuing trading from the site and is being temporarily relocated elsewhere on the same premises, albeit at a smaller scale of operation than the current arrangement within Island House. The operation of the business does not represent new comparison retail for the site, nor within St Martin's Local Centre. In this regard, the continued operation of the business, albeit at a smaller scale, would sustain the services operating within the Local Centre and would not conflict with Policy LC5.

Whilst the agent has noted that the change of use is for a temporary period, there is no reason under planning policy why the use should be restricted to two years by a planning condition.

Operational development:

The changes to the fenestration to the front and rear of the building, together with the installation of signage, would achieve a good standard of design and not adversely affect the character or appearance of the surrounding area and would comply with the relevant planning policies. An informative should be attached to the decision to advise that the signage approved is not to be illuminated as this would require a separate application and would be assessed on its own merits.

The land parcel does not fall within a Conservation Area and therefore Policy GP4 is not applicable.

There is no adverse effect on car parking provision or pedestrian accessibility within the site.

Other matters:

The agent has provided evidence that the display of the site notice was in accordance with the requirements of the Land Planning and Development (General Provisions) Ordinance, 2007.

3 - General material considerations set out in the General Provisions Ordinance.

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 considered in the assessment of this application.

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

The proposal would have no impact on Protected Buildings, Trees or on SSS's.

For the reasons set out within this report, it is recommended that the application be granted, subject to conditions.

Date: 03/12/2025

