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) - Demolish existing retail (Use Class 9) and former light industrial unit (Use Class 24) (retrospective) and erect retail unit (Use Class 9) and associated works.

LOCATION: M & S St Martins, Grande Rue, 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: 27/03/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 25/02/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners Ltd. K73-10106 S1-01C, 04C, 05D, 06C, 07B, 08C, 09C, 10B.

Application Ref: FULL/2026/0284

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.

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 permissions dated 03/05/2024 and 20/10/2025, issued under planning applications reference FULL/2024/0256 and FULL/2025/1095, and subject to the terms and conditions thereof.

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

5. Prior to the approved extension being first open to the public the cycle parking as shown on drawing S1-01 rev C shall be fully implemented and thereafter permanently retained as such unless otherwise agreed in writing by the Authority.

Reason - To encourage the use of bicycles as an alternative to the car.

6. This permission relates to an extension to the existing convenience retail store falling within Use Class 9 of 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. The retail floorspace/shop floor shall be limited to the area labelled Retail Area on drawing S1-05 rev D and shall not be extended into any other part of the building currently shown as storage, cold room, loading/unloading, back office and staff areas.

Reason - Permission has been granted on the basis that the retail floor area will be

limited to that outlined above. Any change or enlargement of this retail floorspace is likely to raise different planning policy considerations.

Expiry Date: This permission will cease to have effect on 26/03/2029 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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2026/0284
Property Ref:	J003920000
Valid date:	25/02/2026
Location:	M & S St Martins Grande Rue St. Martin Guernsey
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) - Demolish existing retail (Use Class 9) and former light industrial unit (Use Class 24) (retrospective) and erect retail unit (Use Class 9) and associated works.
Applicant:	West Quay Holdings 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.

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 permissions dated 03/05/2024 and 20/10/2025, issued under planning applications reference FULL/2024/0256 and FULL/2025/1095, and subject to the terms and conditions thereof.

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

5. Prior to the approved extension being first open to the public the cycle parking as shown on drawing S1-01 rev C shall be fully implemented and thereafter permanently retained as such unless otherwise agreed in writing by the Authority.

Reason - To encourage the use of bicycles as an alternative to the car.

6. This permission relates to an extension to the existing convenience retail store falling within Use Class 9 of 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. The retail floorspace/shop floor shall be limited to the area labelled Retail Area on drawing S1-05 rev D and shall not be extended into any other part of the building currently shown as storage, cold room, loading/unloading, back office and staff areas.

Reason - Permission has been granted on the basis that the retail floor area will be limited to that outlined above. Any change or enlargement of this retail floorspace is likely to raise different planning policy considerations.

OFFICER'S REPORT

Brief Description:

The application relates to a variation of the previously approved schemes to extend the retail unit currently occupied by Marks and Spencer. The variation proposed comprises additional demolition works to the existing building which on commencement of the previously approved development was found to be in poor condition and inadequate to meet current standards or to support the proposed new insulated cladding system. The old roof structure also required replacement.

The proposals provide the opportunity to improve the thermal performance of the building and enable an upgrade of heating and cooling services to allow modern more energy-efficient systems to be used. A significant area of solar panels will be provided and air source heat pumps are to be used, with plant and equipment to be subject of a separate application.

Relevant History:

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/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):

Retail

Assessment: ***(Tick as appropriate)***

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

Policies considered most relevant:

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

Conclusion/Brief comment:

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.

The proposals remain acceptable in policy terms. The proposed variation will not alter the size, height or elevational treatment of the building from what was previously approved, whilst facilitating a more sustainable solution for the development.

The application is recommended for approval subject to appropriate conditions, consistent with the previous permissions granted.

Recommendation:
Grant with Conditions [x]

Date: 27/03/2026