Online Version

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND SECTION 19 OF THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

PROPOSALS: Change of Use from General Industrial (Use Class 38) to storage and distribution Use Class 35 (Data and Archive Storage).

LOCATION: Unit 1, Route De La Garenne, Pitronnerie Road Industrial Estate, St. Peter Port.

APPLICANT: Mr G Miller

I refer to the application referred to below received as valid on 08/06/2010 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 30/07/2010

Application Ref: FULL/2010/1750

Property Ref: A10068B000-P01

The Department has decided to refuse your application under the provisions of section 16 of the Land Planning and Development (Guernsey) Law, 2005 for the following reasons:-

1. The site is within a Key Industrial Area where the policy is to reserve land for the development of business and industrial uses that require purpose built industrial premises and which cannot be reasonably accommodated elsewhere. Development for other business and industrial uses will only be permitted in exceptional circumstances and in accordance with other policies and proposals of the Plan. Furthermore Policy EMP9 generally seeks to protect industrial sites for industrial use.

The proposed use places emphasis on the provision of archive and storage facilities for activities that are carried on at a different location. The scarcity of industrial land, the advantages of the Pitronnerie Road Key Industrial Area, which in particular offers specific advantages for industrial and closely related uses that are not generally available elsewhere in Guernsey, and the fact that

data and archive storage can be accommodated outside Key Industrial Areas are material to the consideration of this application. The circumstances of this application are not such as to justify the introduction of such storage, which does not specify or imply a productive or distributive function, on this site.

OTHER REMARKS:-

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, against a decision to refuse an application for planning permission or outline planning permission to the Planning Tribunal on the merits. 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 Department made this decision.

Copy of representations made

In reaching this decision the Department took into account any written representations arising from consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any representations made to the Department under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES
Director of Planning Control Services