

**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:** Demolish flues and outbuilding (spray booth). Replace and alter fenestration, replace cladding and erect 2m boundary wall to north-west boundary.

**LOCATION:** Graham Brown Building, Vale Castle Industrial Estate, Castle Road, Vale.

**APPLICANT:** Channel Welders

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:** 10/11/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 25/08/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** PF+A Ltd: 4406-01/B1, /B2, /B3, /B4A & /B5

**Application Ref:** FULL/2021/1577

**Property Ref:** C005370002

**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 09/11/2024 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](http://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](mailto: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/2021/1577  
**Property Ref:** C005370002  
**Valid date:** 25/08/2021  
**Location:** Graham Brown Building Vale Castle Industrial Estate Castle Road Vale Guernsey  
**Proposal:** Demolish flues and outbuilding (spray booth). Replace and alter fenestration, replace cladding and erect 2m boundary wall to north-west boundary.  
**Applicant:** Channel Welders

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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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.

## OFFICER'S REPORT

### Brief Description of the site:

The site comprises of an industrial building situated within the North Side Key Industrial Area. The site is located in The Bridge Main Centre Outer Area and Harbour Action Area and within the Development Proximity Zone and the Inner Consultation Zone of the Major Hazards Public Safety Zone which surrounds the nearby fuel storage site.

### Relevant History:

FULL/2021/0440 – Change of use from general industrial (use class 25) to a mixed storage and light industrial use – April 2021.

### Existing Use(s):

Sui Generis use class 29: Mixed use

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

no representation  
accords with policy  
within curtilage  
design acceptable

|   |
|---|
| X |
| X |
| X |
| X |

visual amenity acceptable  
no material neighbour impact  
traffic not affected

|   |
|---|
| X |
| X |
| X |

### Policies considered most relevant:

Policy MC5(A): Industry, Storage and Distribution Uses in Main Centres and Main Centre Outer Areas – within Key Industrial Areas and Key Industrial Expansion Areas

Policy MC10: Harbour Action Areas

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP17: Public Safety and Hazardous Development

### Conclusion/Brief comment:

This application is part retrospective for the demolition of the roof flues and attached outbuilding (spray booth) to the rear of the site and for the replacement and alteration to the fenestration. Replace cladding and erect a 2m boundary wall to the northwest boundary.

The spray booth had permission to be constructed back in 2004, therefore it did require permission to be removed. However, the outbuilding was not of any

architectural worth and so its removal and the roof flues are both considered acceptable in this industrial area.

The replacement cladding and alterations to fenestration are considered to be appropriate changes to modernise the building to facilitate the new tenants, supported by policy MC5(A) & GP8.

The proposals are considered to be minor & inconsequential in nature so that they would not prejudice the outcome or inhibit the implementation of an approved Local Planning Brief and therefore they comply with policy MC10.

Policy GP9: Sustainable Development seeks to ensure all new development takes into account the use of energy and resources and any adverse impacts on the environment. There has been sufficient information provided with the application to comply with the requirements of this policy.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

**Recommendation:**

Grant with Conditions



**Date:** 10/11/2021

