

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: Erect 18 light industrial units with associated parking and landscaping, alterations to vehicle access and erect signage.

LOCATION: Braye Road Industrial Estate, Braye Road, Vale.

APPLICANT: Red 5 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: 24/03/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 17/11/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners - AA30-10460-S1-02A, 03A, 04A, 05A, 06, 07, 08, 09A, 10A & 11.

Application Ref: FULL/2021/2298

Property Ref: C00839A000+C00840A000

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. Prior to the commencement of any development on site, a detailed scheme showing the two phases of construction of the development shall be submitted to and approved in writing by the Authority. The development shall only be carried out in accordance with the approved phasing scheme.

Reason - To ensure that the part of the site that is designated as a Key Industrial Expansion Area comes forward for development only where it has been demonstrated that there are no suitable alternative sites available within any of the Key Industrial Areas or Main Centres and Main Centre Outer Areas in accordance with Policy MC5(A) and the Braye Road Industrial Estate SPG (2021).

5. The units hereby approved shall be used only for general storage or distribution (Storage/Distribution use class 22) or light industry (Industrial use class 24) as 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. On the first use of each unit, the authorised use of that specific unit shall thereafter be recognised as being the use class within which the use for which it was first used falls.

Reason - To provide an initial element of flexibility to enable the development to be marketed to a range of potential occupants, whilst ensuring that the recognised use of each unit is established when they are first occupied and brought into use.

6. Notwithstanding the details shown on the approved plans prior to the commencement of any work in connection therewith a landscaping scheme, to include those details specified below, shall be submitted to and agreed in writing by the Authority:

- i) the treatment proposed for all ground surfaces, including hard areas;
- ii) full details of tree and hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants (in accordance with the recommendations of the Sexton Green report);
- iv) finished levels or contours and
- v) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

7. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

8. No part of the development, hereby permitted, shall be occupied or used until details of any external lighting proposed for the site have been submitted to and agreed in writing by the Authority. Any lighting to be installed shall only be in accordance with the agreed details.

Reason - To make sure the level of lighting is not excessive in order to secure a sustainable form of development and one which does not unduly interfere with residential amenity or traffic and pedestrian safety.

9. No cladding shall be brought to the site until such time as details of the type, texture and colour of the cladding material(s) to be used have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development.

10. Prior to the completion of the development or the first occupation of any of the approved units (whichever is the sooner) the HGV no left turn sign shall have been erected and the vehicle access point onto Braye Road shall have been completed in strict accordance with the details shown on the approved drawing Ref: AA30-10460-S1-09.

Reason - To ensure the development is carried out only as hereby approved in the interests of pedestrian and highway safety.

11. Details of the public art installation in the position shown on drawing ref AA30-10460-S1-10 Rev A shall be submitted to and agreed in writing by the Authority and the agreed public art installation shall be installed prior to the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority.

Reason - To ensure that the development includes an appropriate form of public art in accordance with Policy GP18.

12. No development, including site clearance and demolition, shall take place until an updated version of the Site Waste Management Plan submitted as part of this application has been submitted to and approved in writing by the Authority. The updated Site Waste Management Plan shall take into account any further site surveys or changes to the construction programme, and shall identify an individual with responsibility for regularly monitoring the Site Waste Management Plan. The development shall thereafter be carried out only in accordance with the Site Waste Management Plan so approved.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

13. No part of the development hereby permitted shall be occupied or brought into use until there has been submitted to the Authority a report providing verification that the development has been carried out and monitored fully in accordance with the Site Waste Management Plan approved under Condition 12 above. Where there has been any variation from the approved Site Waste Management Plan, the report shall highlight and detail the reasons for this.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

14. No development, including demolition and site works, shall begin until a Construction Environmental Management Plan (CEMP) has been submitted to and agreed in writing by the Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting during the construction process. The CEMP shall include the following information:

- Hours during which any site works, demolition and building works would be carried out;
- Site lighting and light pollution control;

- Measures for dust prevention and management; and
- A detailed noise and vibration management plan.

The construction works shall be carried out only in accordance with the agreed CEMP.

Reason - The site is situated adjacent to residential properties and routes to the site are through residential areas. A limit on the use is needed to prevent a nuisance or annoyance to nearby residents and the local amenity.

15. No development, including site works, shall begin on site until such time as full details of the proposed permeable hard surfacing to ensure that all surface water is disposed of within the site have been submitted to and agreed in writing by the Authority. All hard surfaces shall be completed in accordance with the details so agreed before the first occupation of any part of the development.

Reason - In the interests of sustainable development and to mitigate against the risk of flooding outside the site.

16. No industrial use of the premises shall be carried out other than between 0700 hours and 1900 hours on Mondays to Fridays, and 0700 hours and 17:00 hours on Saturdays, and there shall be no working on Sundays or Public Holidays.

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.

17. Plant and machinery shall be operated inside of the buildings only while all doors and windows remain closed and no industrial activity of any kind shall take place outside of the proposed buildings.

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.

18. Any windows serving mezzanine floors installed in any of the units contained within blocks 3 and 4 shall be fixed (i.e. non openable) and shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times. No changes shall be made to these windows nor shall any additional windows be inserted in this elevation.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

19. Before the first occupation of any part of the development hereby permitted, bat, bird and hedgehog boxes shall be installed in appropriate locations in accordance with recommendations set out in the Ecological Assessment submitted as part of this application. The bat, bird and hedgehog boxes shall thereafter be so maintained.

Reason - To ensure that the development makes a positive contribution towards biodiversity.

Expiry Date: This permission will cease to have effect on 23/03/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The phasing strategy required by condition 4 will need to demonstrate that Blocks 1 and 2, the main access and infrastructure for the site and landscaping and associated works will come forward as Phase 1 and that blocks 3 and 4 will form Phase 2 that will come forward for development only where it has been demonstrated that there are no suitable alternative sites available within any of the Key Industrial Areas or Main Centres and Main Centre Outer Areas.

For the purposes of condition 8, any lighting scheme should include:

1. a statement of why the lighting is needed;
2. an indication of the proposed frequency of use of the lights and the hours of illumination;
3. two copies of an accurate plan showing the areas to be lit;
4. details of the number, location, height and colour of any lighting columns or other fixtures;
5. the type, number, mounting height and alignment of the luminaires and the beam angles and upward waste light ratio for each;
6. a diagram showing the predicted levels of illumination at the site boundaries;
7. a diagram showing the predicted vertical illumination affecting any adjacent dwellings.

If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Planning Services a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

For the avoidance of doubt, any offices formed within any of the units hereby permitted are to be used only as ancillary or ordinarily incidental to the authorised use of the premises, and shall not be used for any separate office use.

Please note that, in order for the permitted activity to be considered as 'light industrial', the processes carried on and the machinery installed must be carried on or installed in a way that does not affect the amenities enjoyed by people living or working in the area by giving rise to noise, vibration, offensive odours, fumes, smoke,

ash, dust, grit or effluent.

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/2021/2298
Property Ref: C00839A000+C00840A000
Valid date: 17/11/2021
Location: Braye Road Industrial Estate Braye Road Vale Guernsey
Proposal: Erect 18 light industrial units with associated parking and landscaping, alterations to vehicle access and erect signage.
Applicant: Red 5 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 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).

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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.

4. Prior to the commencement of any development on site, a detailed scheme showing the two phases of construction of the development shall be submitted to and approved in writing by the Authority. The development shall only be carried out in accordance with the approved phasing scheme.

Reason - To ensure that the part of the site that is designated as a Key Industrial Expansion Area comes forward for development only where it has been demonstrated that there are no suitable alternative sites available within any of the Key Industrial Areas or Main Centres and Main Centre Outer Areas in accordance with Policy MC5(A) and the Braye Road Industrial Estate SPG (2021).

5. The units hereby approved shall be used only for general storage or distribution (Storage/Distribution use class 22) or light industry (Industrial use class 24) as 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. On the first use of each unit, the authorised use of that specific unit shall thereafter be recognised as being the use class within which the use for which it was first used falls.

Reason - To provide an initial element of flexibility to enable the development to be marketed to a range of potential occupants, whilst ensuring that the recognised use of each unit is established when they are first occupied and brought into use.

6. Notwithstanding the details shown on the approved plans prior to the commencement of any work in connection therewith a landscaping scheme, to include those details specified below, shall be submitted to and agreed in writing by the Authority:

- i) the treatment proposed for all ground surfaces, including hard areas;
- ii) full details of tree and hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants (in accordance with the recommendations of the Sexton Green report);
- iv) finished levels or contours and
- v) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

7. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

8. No part of the development, hereby permitted, shall be occupied or used until details of any external lighting proposed for the site have been submitted to and agreed in writing by the Authority. Any lighting to be installed shall only be in accordance with the agreed details.

Reason - To make sure the level of lighting is not excessive in order to secure a sustainable form of development and one which does not unduly interfere with residential amenity or traffic and pedestrian safety.

9. No cladding shall be brought to the site until such time as details of the type, texture and colour of the cladding material(s) to be used have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development.

10. Prior to the completion of the development or the first occupation of any of the approved units (whichever is the sooner) the HGV no left turn sign shall have been erected and the vehicle access point onto Braye Road shall have been completed in strict accordance with the details shown on the approved drawing Ref: AA30-10460-S1-09.

Reason - To ensure the development is carried out only as hereby approved in the interests of pedestrian and highway safety.

11. Details of the public art installation in the position shown on drawing ref AA30-10460-S1-10 Rev A shall be submitted to and agreed in writing by the Authority and the agreed public art installation shall be installed prior to the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority.

Reason - To ensure that the development includes an appropriate form of public art in accordance with Policy GP18.

12. No development, including site clearance and demolition, shall take place until an updated version of the Site Waste Management Plan submitted as part of this application has been submitted to and approved in writing by the Authority. The updated Site Waste Management Plan shall take into account any further site surveys or changes to the construction programme, and shall identify an individual with responsibility for regularly monitoring the Site Waste Management Plan. The development shall thereafter be carried out only in accordance with the Site Waste Management Plan so approved.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of

Policy GP9.

13. No part of the development hereby permitted shall be occupied or brought into use until there has been submitted to the Authority a report providing verification that the development has been carried out and monitored fully in accordance with the Site Waste Management Plan approved under Condition 12 above. Where there has been any variation from the approved Site Waste Management Plan, the report shall highlight and detail the reasons for this.

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14. No development, including demolition and site works, shall begin until a Construction Environmental Management Plan (CEMP) has been submitted to and agreed in writing by the Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting during the construction process. The CEMP shall include the following information:

- Hours during which any site works, demolition and building works would be carried out;
- Site lighting and light pollution control;
- Measures for dust prevention and management; and
- A detailed noise and vibration management plan.

The construction works shall be carried out only in accordance with the agreed CEMP.

Reason - The site is situated adjacent to residential properties and routes to the site are through residential areas. A limit on the use is needed to prevent a nuisance or annoyance to nearby residents and the local amenity.

15. No development, including site works, shall begin on site until such time as full details of the proposed permeable hard surfacing to ensure that all surface water is disposed of within the site have been submitted to and agreed in writing by the Authority. All hard surfaces shall be completed in accordance with the details so agreed before the first occupation of any part of the development.

Reason - In the interests of sustainable development and to mitigate against the risk of flooding outside the site.

16. No industrial use of the premises shall be carried out other than between 0700 hours and 1900 hours on Mondays to Fridays, and 0700 hours and 17:00 hours on Saturdays, and there shall be no working on Sundays or Public Holidays.

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.

17. Plant and machinery shall be operated inside of the buildings only while all doors and windows remain closed and no industrial activity of any kind shall take place outside of the proposed buildings.

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.

18. Any windows serving mezzanine floors installed in any of the units contained within blocks 3 and 4 shall be fixed (i.e. non openable) and shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times. No changes shall be made to these windows nor shall any additional windows be inserted in this elevation.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

19. Before the first occupation of any part of the development hereby permitted, bat, bird and hedgehog boxes shall be installed in appropriate locations in accordance with recommendations set out in the Ecological Assessment submitted as part of this application. The bat, bird and hedgehog boxes shall thereafter be so maintained.

Reason - To ensure that the development makes a positive contribution towards biodiversity.

INFORMATIVES

The phasing strategy required by condition 4 will need to demonstrate that Blocks 1 and 2, the main access and infrastructure for the site and landscaping and associated works will come forward as Phase 1 and that blocks 3 and 4 will form Phase 2 that will come forward for development only where it has been demonstrated that there are no suitable alternative sites available within any of the Key Industrial Areas or Main Centres and Main Centre Outer Areas.

For the purposes of condition 8, any lighting scheme should include:

1. a statement of why the lighting is needed;
2. an indication of the proposed frequency of use of the lights and the hours of illumination;
3. two copies of an accurate plan showing the areas to be lit;
4. details of the number, location, height and colour of any lighting columns or other fixtures;
5. the type, number, mounting height and alignment of the luminaires and the beam angles and upward waste light ratio for each;
6. a diagram showing the predicted levels of illumination at the site boundaries;
7. a diagram showing the predicted vertical illumination affecting any adjacent dwellings.

If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Planning Services a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

For the avoidance of doubt, any offices formed within any of the units hereby permitted are to be used only as ancillary or ordinarily incidental to the authorised use of the premises, and shall not be used for any separate office use.

Please note that, in order for the permitted activity to be considered as 'light industrial', the processes carried on and the machinery installed must be carried on or installed in a way that does not affect the amenities enjoyed by people living or working in the area by giving rise to noise, vibration, offensive odours, fumes, smoke, ash, dust, grit or effluent.

OFFICER'S REPORT

Site Description:

The application site is located within an urban/built up area within the Vale parish. The site comprises approximately 0.42 hectares (2.6 verges) of agricultural land situated to the south of La Route du Braye. The site was formerly in horticultural use with the glass being cleared from the site between 1980 and 1996 and there are currently no buildings on the site.

There are no significant changes in level across the site although there is a slight slope down from the north to the south and west to east. The site falls within the built-up area within the Lowlands Landscape Character Area within the Braye du Valle Wetlands.

Surrounding the site, the area comprises industrial units to the south and west, and residential properties to the north and northeast with the associated garden area of one of these properties immediately to the east of the site.

The site is currently accessed from La Route du Braye to the north of the site, which is a Traffic Priority Route.

The site is situated within the Bridge Main Centre Outer Area and the western part is allocated as part of the wider Saltpans Key industrial Area with the eastern part allocated as a Key Industrial Expansion Area as designated in the Island Development Plan.

Situated to the north and sharing a boundary with the site is a protected building (Brayehurst).

Relevant History:

PREI/2002/5772	Convert former glasshouse site to a car park accessed from Braye Road Industrial Estate (re-issue).	Granted 17/01/2003
PAPP/2002/0124	Convert former glasshouse site to a car park accessed from Braye Road Industrial Estate.	Granted 14/02/2002
PAPP/1998/1365	Convert former glasshouse site to a car park accessed from Braye Road Industrial Estate	Granted 16/06/1998
PAPP/1995/4361	Convert former glasshouse site to car park accessed from Braye Road Industrial Estate	Permission in principle granted 16/11/1995

The application has been the subject of pre-application advice.

Existing Use(s):

Agricultural land

Brief Description of Development:

Planning permission is sought to erect 18 light industrial units with associated parking and landscaping, and alterations to the existing access point into the site and to erect signage.

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

Island Development Plan Policies:

- S1: Spatial Policy;
- S2: Main Centres and Main Centre Outer Areas;
- MC5(A): Industry Storage and Distribution Uses in Main Centres and Main Centre Outer Areas – within Key Industrial Areas and Key Industrial Expansion Areas;
- GP1: Landscape Character and Open Land;
- GP5: Protected Buildings;
- GP8: Design;
- GP9: Sustainable Development;
- GP10: Comprehensive Development;
- GP18: Public Realm and Public Art;
- IP1: Renewable Energy Production;
- IP6: Transport Infrastructure and Support Services;
- IP7: Private and Communal Car Parking;

- IP9: Highway Safety, Accessibility and Capacity;
- IP10: Coastal Defences;
- IP11: Small Scale Infrastructure Provision;

Braye Road Industrial Estate Development Framework Supplementary Planning Guidance June 2021.

Representations:

In total 2 letters of representation were received objecting to the proposal. One of the representations received clarifies that the objection is raised relating to the access road and no objection is raised regarding the site being built on. The grounds for objection are summarised as follows:

Traffic and Highway Safety Issues:

- The entrance to Braye Road Garage is directly opposite the application site; at times traffic using the garage queues onto the road;
- Concerns are raised regarding larger vehicles turning left;
- Larger vehicles leaving the site will have to cross over into the opposite carriageway and over the pavement to make a left turn;
- The traffic passing the site is usually at fast speed and increase in vehicle movements could result in accidents;
- A gate on the site serves the property Waikiki which is on the access road for the new development. A right of way exists to allow delivery vehicles to park in this road while delivering oil etc. oil is delivered 3 times per year which will block the road and prevent access to the site at such times;
- The plans for the flats show a turning point (reversing onto the new proposed site access road) which would be dangerous for traffic using the site;
- Braye Road already has extremely dense traffic; further commercial or industrial vehicles would have difficulty exiting the site;
- How will the sign stating no left turn for vehicles be policed; this will be meaningless;
- When turning right larger vehicles will still need to mount the pavement to make the turn;
- It is questionable as to whether a 5m wide access road is wide enough for industrial vehicles to safely pass one another and that the line of sight at the exit is sufficient;
- If people from the apartments park in the access road this will hinder traffic;
- It doesn't include safe pedestrian pathways which is a requirement of the DF;
- The proposal is unlikely to be able to comply with Policy IP9 in respect of the public road network's ability to cope with increased demand;
- There is a pedestrian safety risk as no pedestrian infrastructure;
- There is insufficient space along the access road to construct a pedestrian/cycle route into the site;

Impacts on the area;

- The site comprises two green fields which is teeming with numerous wild animals, birds, trees, saplings bushes etc. and was of huge biodiversity and habitat/species as per the Habitat Survey of 2010 and should stay as such;
- Despite written references calling the site Braye Road Industrial Estate it is in fact two fields and should be treated as such and zoned differently;
- This is another example of a green fields being lost and destroyed;

Conflict with the IDP

- Clause 7.2.6 of the IDP states that “applicants proposing development within the Key Industrial Expansion Areas will also need to demonstrate that there is no suitable alternative site available within any of the existing KIAs or within the Main Centres or Main Centre Outer Areas”
- IDP page 66 states “Development of Key Industrial Expansion Areas will only be supported where it has been demonstrated that no suitable alternative sites are available within any of the KIA or Main Centres and Main Centre Outer Areas.”
- The KIEA area cannot be built on for vehicle accesses or anything else;
- There are clearly many other sites available i.e. the data park, Saltpans, Northside etc, which would all have to be developed before the KIEA can be developed;
- Saltpans site is much better placed to provide this type of development, has better infrastructure and would not result in the loss of a green field;
- There is no requirement for industrial development of this type as IDP 9.2.9 states evidence has indicated that the Island is likely to need less industrial, storage and distribution space between 2015 and 2025.

Impact on residential amenity

- Concerns are raised with regard to the proximity of block 3 and 4 to the neighbouring property;
- Blocks 3 and 4 have been designed to add a mezzanine floor later on which should be included on the plans now;
- A building up to 12m high will be extremely high and will overlook and overshadow the garden area;
- If the occupiers can work in the units outside of Monday to Friday 8am to 4pm it will cause noise nuisance, this could be conditioned but how will this be enforced;
- Security issues as no fence will be erected along the eastern section of the site;
- Concerns regarding light pollution at night;
- Concerns are raised with regard to flood risk and effect on neighbouring properties, the proposal will exacerbate this;
- Rainfall from the roofs of blocks 3 & 4 could affect neighbouring property to the east;
- Density is a concern and only 1 storey development should be allowed;
- The development does not respect neighbouring properties;

Landscaping

- The landscaping needs to show exactly what is going to be planted and should be agreed by Guernsey Pollinator Project rather than just planting anything green and that is indigenous;
- Planting nerines will not improve the biodiversity;
- The plans do not include bird or bat boxes as required by the DF.

Consultations:

States Office of Environmental Health and Pollution Regulation (OEHPR)

By letter dated 8th December 2021 stated the following:

"I have reviewed the proposed plans for the above industrial site, which this office was consulted on by letter received on 29th November 2021. There are some issues of concern that I must raise, mainly in regard to the potential for noise to arise from this site, which could subsequently impact neighbouring properties.

There is currently insufficient information available for me to comment on the application. I would welcome the following:

- *The proposed final use of the industrial units;*
- *The proposed operating hours of the completed site;*
- *I note there is mention of heating systems in section 3.0 Energy of the Sustainability Statement, within the Design Statement Document. I would welcome details of any proposed use of air handling units.*

Once the additional information has been received I would be happy to review this.

The application was deferred to seek additional information which was provided by the applicant. OEHPR was reconsulted on the additional information and stated the following:

"As stated in my previous letter, concerns remain about the potential for noise to arise from this site, which could subsequently impact neighbouring properties. I would therefore recommend the following conditions are attached to a planning consent:

- *The use hereby permitted shall be restricted between the hours of 08:00 hours and 19:00 hours on Mondays to Fridays and 08:00 hours and 16:00 on Saturdays and not at any time on Sundays, Bank or Public Holidays.*
- *No waste collection and no deliveries shall be received at or despatched from the site outside the hours of 08:00 and 18:00 hours on Mondays to Fridays and 08:00 and 13:00 hours on Saturdays and there shall be no deliveries or despatches at any time on Sundays or public holidays.*
- *Plant and machinery shall be operated inside the building only while all doors and windows remain closed.*

I also refer to comments made in my previous letter regarding contaminated land issues at the proposed site. I have now reviewed the Phase II Geo-Environmental Site Assessment report (ref: A11702/2.0), received in this office by email from Planning Services on 7th March 2022. I advise that there would be no need to proceed with a condition being attached to the consent. I would however be grateful if the following informative could be added as a recommendation:

Discovery Strategy (not to be applied as a condition but rather an informative to be applied to any applications that may raise concerns):

If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to Planning Services a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Department for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

I do also have the following comments to make on the report and whilst this does not materially impact my response, I would be grateful if it could be raised with the consultant: it is not clear in the report how the sampling strategy was developed, we would expect the sampling strategy to provide justification as to trial pit locations, sample depths, laboratory analysis etc. In relation to waste disposal classification, I would suggest that the applicant contacts Guernsey Waste who will be able to confirm the waste acceptance criteria for their sites.

I would be grateful if the above matters are considered when making a decision on this application."

States Traffic and Highway Service

By email dated 03rd February 2022 stated the following:

"THS has previously reviewed plans for the site that were the basis for this application in its current form. When commenting on the original development framework, THS commented in relation to the challenges presented by the access to the site from Braye Road given the geometry of the access that then existed. Since then, the residential site that borders the Braye Road, adjacent to the site's access has been developed and the boundary wall removed in part.

When first reviewed against the site boundary as it was at the time of the THS assessment, the boundary wall to the property to the west of the Industrial site access 'Waikiki' constrained vehicles egressing (the boundary runs at 90 degrees to the edge of the carriageway, i.e.. Is not a bell-mouth) forcing either vehicles egressing or entering the access to cross to the other side of the carriageway. On discussing the issues and traffic management / road safety risks associated with the access at that point, it was agreed that the formation of a bell-mouth boundary wall in front of the residential units, could largely mitigate THS concerns, by allowing oncoming vehicles

(from the direction of Sohier Road) to enter the site without crossing to the opposing side of the carriageway, and further enable vehicles egressing to move nearer the centre of the access when turning left to join the oncoming traffic flow.

To aid drivers egressing, the inclusion of a small raised paved area acting as build-out immediately adjacent to the boundary wall of Waikiki, also forces egressing drivers to steer out. In doing so, this build-out has the effect of entering the carriageway when turning left, as if from a bell-mouth. In doing so, this should minimise the need for drivers of light commercial vehicles to cross to the other side of the carriageway. Additionally, and although not anticipated through the site's use class to require large HGV vehicles to frequently visit the site, signage is also shown instructing HGV drivers to not turn left out of the Industrial Estate access.

Therefore, in reviewing the plans supplied with the application, I am satisfied that the recommendations made by THS to largely mitigate the road safety and traffic management concerns highlighted in THS's original submission have all been incorporated into the plans supplied. On this basis, I would raise no objections to the plans as supplied."

Summary of Issues:

- The principle of the development
- The design of the scheme, impact on the character of the area and on neighbouring properties
- Impact on the setting of the protected buildings
- Landscaping and biodiversity
- Flooding Issues
- Sustainability
- Traffic and Highway Safety

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

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

The principle of the development

The site falls within the Bridge Main Centre Outer Area as designated in the Island Development Plan. The western part of the site is allocated as part of the wider Saltpans Key Industrial Area (KIA) and the eastern part of the site is allocated as a Key Industrial Expansion Area (KIEA). Saltpans is one of four Key Industrial Areas identified within the IDP and each has an identified Key Industrial Expansion Area.

Because of the nature of the allocation, the site must be developed for industry, storage or distribution uses.

The purpose of KIA's is to enable the consolidation of industry, storage and distribution uses with the KIEA's allowing for the expansion of these areas. Whilst the KIA part of the site can come forward for appropriate development at any time, development on the eastern part of the site (the KIEA) will only be supported where it has been demonstrated that no suitable alternative sites are available within the KIA's or Main Centres. (Policy MC5(A) and paragraph 2.2 of the Braye Road Industrial Estate SPG 2021).

To provide a comprehensive development scheme in accordance with Policy MC10 of the IDP, paragraph 5.3 of the Braye Road Industrial Estate SPG (the SPG) requires proposals for the development of the site to conform to a comprehensive scheme for the whole of the site which relates to the wider Saltpans KIA as far as possible. Due to the policy designations that apply to the site (referred to above) the SPG suggests that it is likely that the site will be developed in phases, with phase 1 being the western part of the site (within the KIA) and Phase 2 being the eastern part of the site (the KIEA). The layout and orientation of development of phase 1 should enable subsequent efficient development of Phase 2 with each phase expected to accord with the requirements of the approved Development Framework.

The scheme proposes the construction of 18 industrial units at the site which as suggested within the approved SPG will come forward for development as part of two phases of development. Phase one will comprise two blocks each containing five industrial units (10 in total). Phase 2 will comprise the construction of a further 8 industrial units situated in the eastern section of the site (the KIEA). The supporting information for the application confirms that the industrial units will be reserved for Storage and Distribution Uses (Use Class 22) and Light Industrial Use (Use Class 24) of the Land Planning and Development (Use Classes) Ordinance, 2017. In the event that planning permission is granted the use of the site can be controlled by planning condition.

One of the grounds for objection raises the issue that part of KIEA (the phase 2 section of the site) will be partially developed to accommodate the infrastructure to enable access into the site, which is contrary to Policy and the approved SPG. However, as identified within the DF the northern access point onto Braye Road is the most likely point of access into the site and is also the preferred option for the emergency services (Paragraph 5.7). In terms of providing a comprehensive developed scheme in accordance with Policy GP10 and the requirements of the SPG and to enable the KIA land to come forward, the development of a small proportion of the KIEA for supporting infrastructure for the whole of the site is acceptable in this instance and will not prejudice the future development of the KIEA land when it is required. Should planning permission be granted it is recommended that a condition is included for a phasing strategy to control the development in this respect.

Based on the above and subject to the suggested conditions it is considered that the principle of the development as proposed is acceptable and complies with the provisions of the relevant policies of the IDP and the approved SPG for the site.

The design of the scheme, impact on the character of the area and on neighbouring properties;

Policy GP8 of the Island Development Plan states a number of criteria that new development will be expected to adhere to in order to achieve a high standard of design which respects and where appropriate enhances the character of the environment.

Paragraph 5.16 of the SPG identifies that *“new development will be expected to achieve a high standard of design which respects the setting of the surrounding protected buildings and the relationship of the site to both residential and industrial uses. Development should be both accessible and sustainable and minimise negative impact on the environment through site layout and orientation....”*

For the purpose of this report, to provide a comprehensive design solution that works for the whole of the site, in respect of the design, the whole of the scheme has been considered. However, in the event that planning permission is granted only blocks 1 and 2 (the blocks within the KIA) will come forward as for development as phase 1, with Blocks 3 and 4 coming forward at a later date when an identified need for the second phase of development has been demonstrated (controlled by condition).

The proposed layout comprises a total of four industrial blocks subdivided to form a total of 18 individual industrial units. Blocks 1 and 2 (which will each provide 5 units) are positioned horizontally on the western/central section of the site. Blocks 3 & 4 (each providing 4 units) are positioned vertically along the boundary shared with the neighbouring property (Hamilton Place) to the east of the site. Car parking is provided between Block 1 and the neighbouring properties to the north and a central parking area is proposed between Blocks 1 and 2.

All of the units are of the same design of steel frame construction, with a pitched roof 6.8 metres at its highest point from ground level. The units will be constructed of the same materials, namely composite metal cladding finished externally with timber cladding and metal clad roofs. Blocks 1 and 2 indicate that a mezzanine floors will be provided and the envelope of blocks 3 and 4 will be constructed to allow a mezzanine floor to be inserted internally if required in the future.

The proposed design of the buildings are utilitarian and industrial in nature and would be seen in context with the existing industrial buildings that surround the site to the south, southeast and west. The bulk and massing of the elevations have been broken up with appropriately positioned windows and doors and using contrasting and appropriate materials. Situated behind buildings that front onto Route du Braye, the buildings proposed will be largely unseen from the roadside and given the

limited height and scale of the buildings the proposal would not significantly affect the character or appearance of the surrounding area.

A landscaping scheme has been submitted (assessed in further detail within this report) which will help assimilate the development into its surroundings. Based on the above it is considered that the design of the scheme complies with the relevant policies of the IDP and the approved SPG for the site.

Impact on neighbouring properties

Block 1 (6.8m at its highest point from ground level) will be situated 14m distance from the boundaries shared with the neighbouring properties to the north. The plans show that an internal mezzanine floor will be provided for each unit that will be used for storage and/or for ancillary office purpose (controlled by condition). Windows are shown in the ground and mezzanine floor elevations that will face towards the neighbouring properties, however at 14m distance any harm would not be so substantial to warrant the refusal of planning permission.

Block 2 (also 6.8m at its highest point from ground level) is situated to the southern section of the site and will face towards the car parking area within the site to the north and neighbouring industrial buildings to the south. This block would not harm the residential amenity of the surrounding area.

Blocks 3 and 4 are situated towards the garden boundary shared with the neighbouring property to the east, Hamilton Place. As discussed within the previous sections of this report both blocks will come forward as part of phase 2 for the redevelopment of this site (controlled by condition). Blocks 3 and 4 are both 6.8m in height at the highest point from ground level and will be situated 3m from the boundary shared with the neighbouring property at the closest point increasing to 4.3m at the maximum distance. Although not included on the application drawings the supporting information confirms that these units will be constructed to allow mezzanine floors to be installed within each unit if required in the future.

One of the objections received relates to the siting of blocks 3 and 4 and the close proximity to the shared boundary with the neighbouring property to the east and the resulting impacts. Furthermore, that the mezzanine floors should be shown on the drawings as if required this would increase the height of the building to at least 12m in height which would be unacceptable.

The layout as proposed is in accordance with the Development Guidelines as set out within the approved SPG for the site. The area shown on Image 8 within the SPG for single storey construction only (within 15m from the rear boundaries of the properties to the north) has been respected and the distance between all units and sensitive boundaries has also been respected. With regard to the mezzanine floors, blocks 3 and 4 will be built to allow such alterations to be made internally within the building (these do not require planning permission in their own right) and the

creation of mezzanine floors would not increase or alter the height of the building above that shown on the application drawings.

The buildings have been designed to have minimal impact on the neighbouring property to the east, with the roof height at the closest point to the boundary (3m distance) lowered to 5.5m increasing to 6.8m circa 11m distance from the boundary. Given the orientation of the site (north facing) and the scale and size of the buildings proposed it is considered that any harm relating to overshadowing or light loss resulting from the development would be limited and not be so substantial to warrant the refusal of planning permission.

The first-floor plans do show that windows are proposed at the upper level in blocks 3 and 4 which will face towards the neighbouring property to the east. If mezzanine floors were installed, views from these windows could face towards the garden area of the neighbouring property to the east. It is recommended that if permission is granted a condition is included to ensure that if mezzanine floors are installed, the windows are obscure glazed in a timely manner.

No specific end user has been identified and the agent has requested that the use of the industrial units is generalised to enable them to be used for storage and light industrial uses without the need to re-apply for a change of use. Considering the location of the site, within an existing Key Industrial Area, the use of the industrial units for general storage and distribution (Storage and Distribution use class 23) or light industrial use (Industrial use class 24) is unlikely to result in any significant adverse effects and policy supports a flexible approach within Key Industrial Areas. However, once a unit has been first occupied, the unit will then be recognised as falling within that particular use class and any subsequent change of use would be subject to the usual planning use class controls. In this respect, the Land Planning and Development (Exemptions) Ordinance, 2007 and the amendment thereto set out within the Land Planning and Development (Use Classes) Ordinance, 2017, provides exemptions which allow for the change of use between light industry and general storage, and for the change of use from general industry to either light industry or general storage. This will enable flexibility for the initial use of the industrial units whilst retaining a proportionate level of control over future uses as would apply elsewhere.

With regards to an objector's concerns that the development would give rise to increased noise, traffic and disturbance, it is acknowledged that the development would result in new industrial activity on the site. However, light industrial uses by definition are where the processes carried on and the machinery installed are such as could be carried on or installed in any residential area without detriment to the amenity of that area for any reason including by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit, artificial lighting or discharge of solid or liquid substances.

No details of external lighting have been provided and should planning permission be granted it is recommended that a condition is included for details to be submitted

prior to first occupation of the site. To further protect residential amenity it is recommended that a condition is included for a Construction and Environmental Management Plan (CEMP) to be submitted to detail how construction traffic and processes will be managed on site in accordance with the SPG for the site.

The OEHPR has suggested that the hours of use for the site be restricted to 08:00hrs to 19:00hrs Monday to Fridays and 08:00hrs to 13:00hrs on Saturdays with no working on Sundays or Bank holidays. The applicant has requested that the hours of use be restricted to 07:00hrs to 19:00hrs Monday to Friday, 07:00hrs to 17:00hrs on Saturdays and 8am to 1pm on Sundays. Given the location of the site in a Key Industrial Area, the nature of the uses (light industrial and storage and distribution) and that conditions are recommended to be imposed on the permission to ensure that all industrial activity is completed within the envelope of the building whilst doors and windows are closed, and that other industrial units surrounding the site have no restrictions, the operation hours requested by the applicant for Monday to Friday and for Saturday are considered to be acceptable. However, as suggested by OEHPR there should be no working of an industrial nature on Sundays and a condition on the application should be applied to control these hours of use for the site.

Based on the above and in this respect, the proposal complies with the relevant policies of the IDP and the approved SPG for the site and any harm to residential amenity resulting from the development proposed would not be so substantial to warrant the refusal of permission.

Impact on the setting of the protected buildings

It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting protected buildings, to secure so far as possible that the special historic, architectural, traditional or other special characteristics (including setting) are preserved. This duty is reflected in Policies GP5 (Protected Buildings) and GP8 (Design) of the IDP.

To the north of the site are three protected buildings namely, Braye Lodge (PB1165) situated circa 20m distance from the northern boundary of the site, Brayehurst (PB1164) circa 17m and Homeland (PB1166) which is situated on the opposite side of Braye Road circa 48m distance. It is worth noting that the Brayehurst shares a boundary with the application site.

Paragraph 4.5 of the SPG identifies that *“The site makes a low to negligible contribution to the setting of the Protected Buildings PB1164 (Brayehurst) and PB1165 (Braye Lodge). This impact decreases further from the southern boundary of the Protected Buildings but may influence layout and design of development.”*

The design and layout of the scheme has been considered so as to minimise any harm on the setting of the protected buildings referred to above. Along the northern boundary of the site in front of (site side of) the existing 2m high boundary wall,

additional planting/landscaping is proposed. The built form as proposed has been positioned to respect the no build zone and single storey only zone as shown on Image 8 in the Development Guidelines section of the SPG. Parking is situated in the no build zone to make the best use of the site in accordance with paragraph 5.19 of the SPG and relevant policies of the IDP.

Based on the above it is concluded that the development proposed would not harm the setting or special interest of the protected buildings.

Landscaping and biodiversity

A landscaping scheme has been submitted as part of this application. The landscaping scheme was completed following a site survey and following a review of the Habitat Survey for Guernsey where it was confirmed that the site was managed as 'improved grassland'. This specific habitat contains a low number of species and due to the lack of plant diversity supports fewer insects and bird species. The landscape scheme notes that the doudit is of importance as it provides many benefits such as mitigating drought and floods and maintaining biodiversity.

The landscaping scheme recommends that to enhance the biodiversity of the site appropriate native planting should be achieved among the sycamore trees that have previously been felled from the site. The landscaping scheme identifies the type of planting that should be included for the relevant sections of the site to ensure that biodiversity for the site is maximised. It identifies that bird and bat boxes in appropriate locations would also help to increase biodiversity (also referred to in the SPG) and whilst these have not been included on the submitted drawings, these can be requested by planning condition.

Should planning permission be granted to maximise biodiversity it is recommended that a landscaping condition is included for details of hard surfacing areas, planting densities and exact species to be used from those identified within the Sexton Green report.

Flooding Issues

Paragraph 3.11 of the SPG identifies that: *"Approximately half of the site falls within the 1:50 year flood risk, with the remainder of the site falling within a 1:100 year or 1:250 year risk. This risk originates from over-topping of the coastal defences at both The Bridge to the east and Le Grand Havre at the western end of the Braye du Valle. In addition to coastal flood risk, the potential for surface water flooding is also a concern. The doudit is important in managing water flow in the area. Image 4 shows the extent of coastal flood risk in the area."*

Paragraph 5.30 of the SPG requires planning applications for the site to be expected to demonstrate how the development has been designed to manage the risk of flooding, responding to both coastal flood risk and risk arising from potential surface water flooding.

As part of the supporting information a Flood Report has been submitted which was commissioned by CBL Consulting. The report provides a plan showing how surface water and foul water will be managed which shows soakaways, a pumping station and an interceptor designed and located specifically to respect the type and amount of development proposed. The plan shows that the existing douit will be protected and retained on site.

The flood risk report demonstrates that surface water run off for the site can be accommodated and dealt with on site. No surface or foul water will enter into the douit in accordance with Paragraph 5.33 of the SPG. The proposed surface water management scheme appears to be acceptable however this will be dealt with by Building Control at the appropriate juncture and does not require further information to be submitted by condition.

To reduce the overall run off the scheme proposes to ensure that all external hardstanding surfaces are to be constructed using permeable paving which will form part of a SUDs system which will contribute and help to control flood management and mitigation. To ensure that the proposed development does not increase risk to the area or on neighbouring properties, surface water drainage has also been designed to utilise infiltration systems and contain overall surface water run off on site. Furthermore, the site levels and the proposed finished floor levels have been carefully considered and raised to minimise the impact/effect of the 1:50 year flood risk. Should planning permission be granted, a condition should be included to ensure that SUDs are used as proposed in carrying out the development.

The supporting information confirms that the applicant has contacted all of the utility providers who have confirmed that there is sufficient infrastructure in place to deal with the likely demands of this site.

Based on the above the proposal complies with the approved SPG and relevant policies of the IDP in this respect.

Sustainability

Paragraphs 5.16 and 5.17 of the SPG identify that development should be both accessible and sustainable and minimise negative impact on the environment through site layout and orientation with the use of low embodied energy materials, energy efficient buildings and the incorporation of renewable energy technologies. The southern aspect of the site presents opportunities to maximise passive solar gain in order to minimise the use of energy to heat and cool buildings. *“A planning application will need to include a statement that demonstrates how the buildings and associated spaces have been located to take advantage of climate and micro-climate so that energy use is minimised and that all new renewable energy options have been considered and the proposed technology is the most appropriate for the site.”*

A Sustainability Statement has been submitted as part of the application which demonstrates how the design of the scheme has been considered to provide a sustainable solution. The statement confirms the following:

- All walls both internal and external will be fully insulated and draught proofed to the appropriate standards;
- Each building will be fitted with the latest energy saving technologies (including low energy lighting systems and cooling systems);
- Local sourced materials will be used where possible;
- Solar panels are to be provided and the electricity harnessed will power two electric vehicles for the users of the site;
- Sustainable materials will be used;

Block 2 has been positioned along the southern boundary of the site and sufficient distance from blocks 1, 3 and 4 so as not to overshadow and to maximise solar gain throughout the day.

A Site Waste Management Plan (WMP) has also been submitted which includes confirmation of how waste associated with the development will be minimised, how existing materials are to be reused and how residual waste will be disposed of (which can be controlled by planning condition).

The above demonstrate that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9 and the requirements of the SPG.

Traffic and Highway Safety

The approved SPG for the site identifies within the site analysis section and the development guideline section that there are three options available to provide access to the site, via Braye Road to the north of the site, via the Braye Road industrial estate to the southwest of the site and via the perimeter of the Guernsey Press building to the southeast corner of the site.

The SPG at paragraph 5.7 identifies that due to land ownership considerations and access rights, the vehicle access point is unlikely to be achieved through the existing Braye Road industrial estate, so the most likely scenario is that the 5m wide residential access road to the north of the site (opposite Braye Road Garage) will be utilised. The SPG notes that this is also the preferred access of the Fire Service to ensure direct access in an emergency.

Paragraph 5.8 identifies that if the access to the north of the site is utilised no vehicular through route to the rest of the industrial estate will be permitted in order to avoid the creation of a cut-through which may be used by drivers wishing to avoid the main Braye Road Industrial Estate junction. However, the layout of development must not prevent the creation of a vehicle access from the south should the opportunity arise in the future, at which point the vehicle access from the north

would no longer be utilised (except for emergency vehicles if required). This is to ensure that the site can link to the wider Saltpans KIA in the future if appropriate.

The proposed access point into the site as shown on the drawings is as per Paragraph 5.7 suggests to the north of the site utilising the existing residential access point onto La Route du Braye. La Route du Braye is designated as a Traffic Priority Route which support relatively high traffic flows and a high proportion of HGV and commercial traffic accessing industrial estates, as well as commuter traffic.

Representations received on the application have raised concern relating to the capacity of the existing road network to cope with additional traffic caused by the development. However, prior to the submission of the application the applicant/agent held discussion with Traffic and Highways Service (THS) with regards to utilising this access point, the access geometry and latterly the need for a Traffic Impact Statement. As required by Traffic and Highway Services the applicant engaged a TRICS data provider to produce a traffic impact statement and trip generation report which is included as part of the application, and which was also sent to Traffic and Highway Services. No objections have been raised from THS with regard to highway capacity and given that La Route du Braye forms a Traffic Priority Route, any additional vehicle movements resulting from the development can be accommodated.

As confirmed in the consultation response from THS the design of the access point has been carefully considered as part of the application. The boundary wall that fronted onto La Route du Braye immediately adjacent to the access point (which previously hindered visibility splays from the access point to the east) has been removed in part, as part of the application for the residential development on the adjacent site. This has improved visibility splays to the required standards.

The access point has been designed with the formation of a bell-mouth entry point into the site to enable vehicles (from the direction of Sohier Road) to enter the site without crossing to the opposing side of the carriageway, and further enable vehicles egressing to move nearer the centre of the access when turning left to join the oncoming traffic flow. Such alterations will mitigate concerns regarding traffic entering the site from the east.

Concerns have been raised with regards to larger HGV vehicles exiting the site to the west and that they will be required to cross into the opposite carriageway in order to make the turn. However, as identified by 5.9 of the SPG given the nature of the light industrial uses proposed on the site there is not expected to be a significant requirement for HGV access.

In accordance with Paragraph 5.9 of the SPG and as required from THS the application proposes to restrict HGV vehicles from turning left onto Braye Road. As part of the application details of the signage to be used to instruct drivers of such arrangement has been submitted which will be positioned at the exit point and will be clearly visible for HGV vehicles exiting the site.

A pedestrian pavement 1m in width is proposed along the main access road into the site. Within the site a shared surface is proposed between vehicles and pedestrians which will be clearly identified by contrasting pavements in accordance with paragraph 5.10 of the SPG. Given the slow on-site traffic speeds that are likely to occur due to the internal road layout, a shared surface would not compromise pedestrian safety and is considered to be acceptable in this instance.

Bicycle and motorcycle parking has been provided in appropriate and accessible locations and to the south of the site, a pedestrian access only route is provided across the dourt to enable access into the wider KIA as required by paragraph 5.12 of the SPG.

As part of the scheme no vehicle through route is proposed to the rest of the industrial estate to avoid the creation of a cut-through. The site has been designed to enable a 5m access point between the industrial buildings to the southwest corner of the site should the need or opportunity arise to connect to the wider KIA in the future, in accordance with Paragraph 5.8 of the SPG.

Appropriate levels of parking, bicycle parking and motorcycle parking have been provided as part of the scheme in accordance with the relevant car parking standards and Policy IP7 of the IDP. Electric car parking bays are also proposed as part of the scheme in accordance with paragraph 5.15 of the SPG.

Based on the above, the proposal is considered to comply with the relevant policies and the approved SPG relating to highway safety and capacity.

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

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

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

The impact on the setting of the protected buildings has been assessed in section 2 above. With regard to any impact on protected monuments and protected trees Paragraph 4.6 of the SPG identifies that the site makes a negligible contribution to the setting of the Old Sea Wall protected monument (PM105) via the association with the drainage of the Braye du Valle, however, development of the site will not harm the setting of the protected monument. The site makes no contribution to the

protected trees on La Pointe (PT90) and redevelopment is not constrained in any respect by this feature.

It is recommended that planning permission is granted subject to conditions.

Date: 21/03/2022

