

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: Install signage (temporary 18 month period), (retrospective).

LOCATION: Avondale Vinery, Oatlands Lane, St. Sampson.

APPLICANT: Grow 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: 26/01/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 30/11/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Plan and Photos (dated 30/11/2021)

Application Ref: FULL/2021/2481

Property Ref: B01032A000

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 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.

3.The sign must be repositioned in accordance with the approved plans within two months of the date of this permission.

Reason - To ensure the sign in its unauthorised position is moved to the approved location in a timely manner.

4.The sign hereby permitted shall be removed from the site on or before 27/07/2023.

Reason - The sign has been assessed on the basis that it will be installed on a temporary basis only.

Expiry Date: This permission will cease to have effect on 27/07/2023 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



PLANNING APPLICATION REPORT

Application No: FULL/2021/2481
Property Ref: B01032A000
Valid date: 30/11/2021
Location: Avondale Vinery Oatlands Lane St. Sampson Guernsey
Proposal: Install signage (temporary 18 month period), (retrospective).
Applicant: Grow 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 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.

3. The sign must be repositioned in accordance with the approved plans within two months of the date of this permission.

Reason - To ensure the sign in its unauthorised position is moved to the approved location in a timely manner.

4. The sign hereby permitted shall be removed from the site on or before 27/07/2023.

Reason - The sign has been assessed on the basis that it will be installed on a temporary basis only.

OFFICER'S REPORT

Brief Description of the site:

The site known as 'Avondale Vinery' is a large site, with glasshouses, to the east of Oatlands Lane. The site is now used as an industrial estate with storage uses and two open yards. To the north is open Agricultural Priority Area land, to the west is the lane and neighbouring residential properties. To the south are a few residential properties and to the east is another vinery and Route Militaire beyond.

The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2017/0995 - Change of use of horticultural buildings, glasshouse and land to south-east of site to form 16 storage units and 2 open yards. Undertake landscaping. (Revised scheme) – October 2019.

Existing Use(s):

Storage/Distribution use class 22: general storage or distribution.

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:

OC3: Offices, Industry and Storage and Distribution Outside of the Centres
GP8 Design

Conclusion/Brief comment:

Install signage for a temporary eighteen-month period. The application is retrospective as the sign is already up in a different location. This application is to move the sign nearer to the main entrance off Oatlands Lane to the east of the site.

The sign is presently location closer to the unit used by 'Grow'. However, they would now like to move the sign so that visitors know where to come to. The sign will be erected at the back of the car parking area, approximately 18m away from the entrance. The sign is relatively large 2m wide and 1m tall and set at 1m off the ground (total height 2m). The distance from the main road to the large sign is considered appropriate and will not distract passing vehicles.

The sign is a temporary measure to ensure members of the community know where the company has relocated to, it will be in situ for a maximum of 18 months. Should the applicant want the sign to remain on site after the 18 months, a new application will have to be submitted.

As is it a short-term fabrication, there will be no long term effects. The sign is not thought to impact on the character of the area, nor will it have any detrimental effects on the neighbouring residential properties.

Due to the nature and type of development, it is not considered necessary for the applicant to demonstrate that the proposal has been designed to take into account the criteria of Policy GP9 (Sustainable Development).

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: 21/01/2022