

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 single storey flat roof outbuilding to south boundary.

LOCATION: Griffiths Yard, North Quay, Northside, Vale.

APPLICANT: States Trading Supervisory Board

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: 21/01/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/12/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: States Property Services - 1458ST17 10, 11 & 12.

Application Ref: FULL/2021/2593

Property Ref: C006190000

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.Notwithstanding the application as submitted, this permission is given for a limited period expiring on 09th January 2025, by which time the building the subject of this permission shall be removed.

Reason - Temporary permission was granted for the portacabins situated adjacent to the building to which this permission relates. The nature of portacabins, their design and materials of construction, are such that they have the potential to become dilapidated over time, and as such could detract unacceptably from the visual character of the Conservation Area within which they are located. The permanent location of the portacabins on this site could have the potential to prejudice the outcome of a Local Planning Brief (LPB) process and inhibit the implementation of an approved LPB for the surrounding Harbour Action Area (Policy MC10).

Expiry Date: This permission will cease to have effect on 20/01/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision authorises the offices hereby permitted to be used only as ancillary or ordinarily incidental to the authorised use of the premises, and does not authorise any separate office use.

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/2021/2593
Property Ref: C006190000
Valid date: 10/12/2021
Location: Griffiths Yard North Quay Northside Northside Vale Guernsey
GY3 5TU
Proposal: Erect single storey flat roof outbuilding to south boundary.

Applicant: States Trading Supervisory Board

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).

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. Notwithstanding the application as submitted, this permission is given for a limited period expiring on 09th January 2025, by which time the building the subject of this permission shall be removed.

Reason - Temporary permission was granted for the portacabins situated adjacent to the building to which this permission relates. The nature of portacabins, their design and materials of construction, are such that they have the potential to become dilapidated over time, and as such could detract unacceptably from the visual character of the Conservation Area within which they are located. The permanent location of the portacabins on this site could have the potential to prejudice the outcome of a Local Planning Brief (LPB) process and inhibit the implementation of an approved LPB for the surrounding Harbour Action Area (Policy MC10).

INFORMATIVES

For the avoidance of doubt, this decision authorises the offices hereby permitted to be used only as ancillary or ordinarily incidental to the authorised use of the premises, and does not authorise any separate office use.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises an industrial site situated to the south of Castle Road. Surrounding the site the area comprises industrial uses to the north and east, north pier to the west and the coast to the south and southeast.

The site is situated within a Main Centre Outer Area, Conservation Area, Harbour Action Area and Key Industrial Expansion Area as designated in the Island Development Plan.

Relevant History:

FULL/2021/2651	Install shipping container	Pending Consideration
FULL/2021/0379	Erect flat roof extension on north elevation	Granted for a temporary period for a further 5 years expiring on 09/01/2025
FULL/2019/2216	To retain the existing portacabins permanently at the site (retrospective).	Granted for a temporary period for a further 5 years expiring on 09/01/2025
FULL/2014/3059	Demolish existing structures and install	Granted

	three new temporary portacabins, erect new black Trimesh fencing to perimeter and install new gates	01/12/2014
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Existing Use(s):

Industrial vehicle depot

Assessment: *(Tick as appropriate)*

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

Policies considered most relevant:

MC5(A) – Industry, Storage and Distribution Uses in Main Centres Plan and Main Centre Outer Areas - within Key Industrial Areas and Key Industrial Expansion Areas
MC10 – Harbour Action Areas
GP4 – Conservation Areas
GP17 – Public Safety and Hazardous Development

Conclusion/Brief comment:

Planning permission was granted on 01st December 2014 to demolish existing structures on the site and to install three new temporary portacabins, erect new black trimesh fencing to the perimeter and install new gates (Ref: FULL/2014/3059). Condition 4 of the permission required the portacabins to be removed from the site within 5 years of the date of the permission (on or by 30th November 2019).

Planning permission was subsequently granted on 09/01/2020 for retrospective permission to retain the structures for a temporary period expiring on 09/01/2025 (FULL/2019/2116). On 15/04/2021 a temporary permission was granted to erect a flat roof extension to be attached to the north elevation of the structures (FULL/2021/0379) which included a condition requiring the removal of the extension by 09/01/2025 to coincide with the previous permission.

Under the application the subject of this report planning permission is sought to erect a separate modular accommodation unit comprising a two person office and drying room.

The proposed unit is of limited scale and has been positioned adjacent to the existing building to minimise harm on the visual character of the surrounding area. The

design of the proposal and the materials to be used are also in-keeping with the adjacent portacabin.

In the consideration of the previous planning applications to allow the portacabins at this site and to allow an extension to the portacabin, temporary planning permissions were granted on each occasion. It is recommended therefore that any permission is conditioned to ensure that the building to which this application relates, is granted for a temporary period to coincide with the grant of the previous permissions to retain/extend the portacabins at this site.

It is also recommended that an informative is included to advise the applicant that the offices formed by the proposal are to be used ancillary to the main use of the site and shall not be severed to form independent office use.

Part of the site is located within the Development Proximity Zone (DPZ) and the remainder of the site is within the Inner Zone for the Major Hazard Public Safety Zone associated with the fuel storage depot immediately to the north. However, as the works proposed are to maintain an existing operation at the site and would not increase activity or workers present on the site, it is considered that there would be neutral impact on health and safety.

For the reasons contained within this report it is considered that the proposal accords with the above mentioned Policies of the Island Development Plan.

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: 18/01/2022

