

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 shipping container.

LOCATION: Unit 1 Griffiths Yard, North Side, Vale.

APPLICANT: Mr L Doherty

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: 14/02/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/01/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Layout & Container details (04/01/2022)

Application Ref: FULL/2021/2651

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.

Expiry Date: This permission will cease to have effect on 13/02/2025 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/2021/2651
Property Ref: C006190000
Valid date: 04/01/2022
Location: Unit 1 Griffiths Yard North Side Vale Guernsey GY3 5TU
Proposal: Install shipping container.

Applicant: Mr L Doherty

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.

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/2021/2593	Erect single storey flat roof outbuilding to south boundary.	Granted 21/01/2022
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 three new temporary portacabins, erect new black Trimesh fencing to perimeter and install new gates	Granted 01/12/2014

Existing Use(s):

Industrial vehicle depot

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

☒
☒
☒
☒

visual amenity acceptable
no material neighbour impact
traffic not affected

☒
☒
☒

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:

This application is to position a shipping container within the southwest corner of Area 1, which is located in the northwest corner of the Yard.

Policy MC5(A) states that Key Industrial Expansion Areas will be reserved for industrial or storage and distribution uses and that a Development Framework will be required for each area. However, at present there is not a Development Framework for this site.

The installation of a shipping container in an established storage area will not inhibit the implementation of industrial or storage and distribution development and would not prejudice the comprehensive development of this Key Industrial Expansion Area. The proposal is therefore likely to accord with Policy MC5(A) of the IDP.

The storage container is to be situated within the site, behind high granite walls, and due to its limited height and scale and the fact that the site is industrial in context, the proposal will not cause any detrimental impacts to the special character of the surrounding conservation area and its installation is considered to comply with Policies GP4 and GP8 of the IDP.

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: 11/02/2022

