

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 temporary storage unit (for a period of 5 years).

LOCATION: Harrison Automotive Ltd, Unit 4, Les Monmains Business Park, La Hure Mare Road, Vale.

APPLICANT: Harrison Automotive Ltd

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: 13/07/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 19/05/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd - 5755/C/1a.

Application Ref: FULL/2022/1121

Property Ref: C00568A000

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.The temporary building hereby approved shall be used for the storage of vehicles only in connection with Unit 4 as set out in the letter from Jason Hobbs Architectural Services Ltd dated 16 May 2022 ref: 5755/C/1.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

5.The building hereby permitted shall be removed and the land restored to its former condition on or before 12 July 2027.

Reason - The design and appearance of the building make it unsuitable for a permanent permission.

Expiry Date: This permission will cease to have effect on 12/07/2025 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/2022/1121
Property Ref: C00568A000
Valid date: 19/05/2022
Location: Harrison Automotive Ltd Unit 4, Les Monmains Business Park La Hure Mare Road La Hure Mare Road Vale Guernsey
Proposal: Erect temporary storage unit (for a period of 5 years).
Applicant: Harrison Automotive Ltd

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.

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Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

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Reason - The design and appearance of the building make it unsuitable for a permanent permission.

OFFICER'S REPORT

Site Description:

Les Monmains Business Park is situated to the east of La Hure Mare Road and has access from that road and Les Monmains to the south. A single building runs across the site and is subdivided into a number of smaller units, with external storage areas to the north and south. The site is located in an area with various other industrial uses.

The site is located within the Main Centre Outer Area and within a Key Industrial Area, and is located partially within the Middle and partially within the Inner consultation distances in respect of the major hazards public safety zone at Northside.

Relevant History:

29/11/17 FULL/2017/2618 Permit to erect temporary storage unit for 5 years.

Existing Use(s):

General Industry

Brief Description of Development:

The application relates to the installation of a temporary storage unit measuring 24m long x 10m wide x 6.4m high over the central of three open storage areas to the north of the site. The unit is to be constructed using an aluminium frame and covered in a translucent fabric and is proposed to remain in-situ for 5 years.

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

Island Development Plan Policies:

MC5(A):	Industry, Storage and Distribution Uses in Main Centres and Main Centre Outer Areas – within Key Industrial Areas and Key Industrial Expansion Areas
GP8:	Design
GP9:	Sustainable Development
GP17:	Public Safety and Hazardous Development

Representations:

None.

Consultations:

None.

Summary of Issues:

The key issues in this case relate to the principle of constructing a storage building on the site and whether the use of the site for the stationing of this temporary storage structure for 5 years is appropriate. In addition, the design and appearance of the structure must be assessed with regard to the amenities of the locality and the potential impact on the amenities of surrounding occupiers.

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.

MC5(A): Industry, Storage and Distribution Uses in Main Centres and Main Centre Outer Areas – within Key Industrial Areas and Key Industrial Expansion Areas outlines that extensions to an existing industrial or storage or distribution development and ancillary development can be supported.

GP8: Design indicates that new development will be supported where it is demonstrated that it has been designed to a good standard of architectural design, taking into account energy uses and will not have an unacceptable impact on neighbouring amenity or designated areas.

The application identifies that the benefit of installing such a structure is that it will be non-permanent avoiding any ground damage should the applicant in this case choose to move to an alternative location. The purpose of the unit is to store cars whilst waiting for service or collection.

The application represents an extension to an existing industrial use and is considered to be ancillary to the use of Unit 4, Les Monmains Business Park. It is considered, therefore, that the scheme meets the aims of Policy MC5(A) of the Island Development Plan.

The application would result in the enclosure of an open storage area and would not be highly visible as the site is surrounded by industrial buildings. Although the building cannot be argued to be of a good standard of architectural design it is designed to be temporary only and will be sited on the land for up to 5 years. It is concluded, therefore, that the scheme does accord with Policy GP8 of the Island Development Plan.

The application proposes the enclosure of an existing use and would not result in additional persons attending the site. The proposal would not therefore increase the health and safety risk at the site, having regard to GP17 and Annex IX.

In view of the above it is recommended that a temporary permission is granted for the structure proposed.

In the 5 years of this permission the applicant should be looking at a more permanent solution to the storage of vehicles and protection against the environment either through a permanent structure or an alternative location for the business premises. It is rarely appropriate to grant on-going temporary permissions for temporary structures such as this.

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 proposal would have no adverse impact on protected trees, buildings or sites.

Date: 07/07/22