

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: Use yard for the storage of recyclable material.

LOCATION: Mayside Recycling, Unit 1, Les Monmains, Northside, Vale.

APPLICANT: Guernsey Recycling (1996) Ltd / GRG

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: 07/09/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/06/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Plan

Application Ref: FULL/2022/1232

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.

Expiry Date: This permission will cease to have effect on 06/09/2025 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/2022/1232
Property Ref: C00568A000
Valid date: 08/06/2022
Location: Mayside Recycling Unit 1 Les Monmains Northside Vale
Guernsey GY3 5UD
Proposal: Use yard for the storage of recyclable material.
Applicant: Guernsey Recycling (1996) Ltd / GRG

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

FAST TRACK OFFICER'S REPORT

Brief Description of the site:

The site used by 'Mayside Recycling' is Unit 1 of the Monmains Northside Industrial Site which is located to the east of Le Hure Mare Road and north of Les Monmains. Unit 1 has use of an external area of yard to the front of the warehouse and one to the rear. The property is located in the St Sampson Main Centre Outer Area and the Northside Key Industrial Area as defined in the Island Development Plan. The site is also partly within the Inner and Middle Zones of a fuel storage Major Hazards Public Safety Zone.

Relevant History:

FULL/2016/0622 – Use yard for the storage of recyclable material for temporary periods

Existing Use(s):

Industrial Use Class 27: Waste

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
IP2: Solid Waste Management Facilities
GP17: Public Safety and Hazardous Development

Consults:

The Office of Environmental Health and Pollution Regulation;
'I have reviewed the proposed plans for using an area of the yard, at the above location, for the contingency storage of recyclable material which were received on 24th June 2022. I do not wish to raise any objections to the proposals.

I would just note that the site has a current Waste Management Licence, which contains conditions around the storage of waste and a site plan, meaning that a variation application will need to be made to OEHPR by the current site operator to take account of this use.

Please do not hesitate to contact me at the above address should you require any additional information regarding this matter.'

Conclusion/Brief comment:

The previously approved application for the storage of Contract Waste in the external storage area to the front of the warehouse was for 'temporary periods'.

Six years have passed since the application was approved and Mayside Recycling have been using the area for 'contingency use'. However, as the years pass the need to use the area is becoming more frequent and to ensure all permissions are up to date this application has been submitted to allow for a longer use of the area for storage.

The area subject of this application is surrounded on all side by other industrial units and is largely screened from public vantage points. The more frequent use of this area for Contract Waste to be stored before shipping is not considered to impact on the character of the area.

The proposed use of the site is unlikely to increase the risk to public health and safety.

The Office of Environmental Health and Pollution Regulation have no issues with this application, see above.

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: 06/09/2022