

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: Variation to previously approved plans to erect 18 light industrial units with associated parking and landscaping, alterations to vehicle access and erect signage - Raise roof height, alter wall finish and alterations to fenestration to Units 1 & 2; Extend, raise roof height to create first floor level and alterations to fenestration to Units 3 & 4 (additional plans).

LOCATION: Braye Road Industrial Site, La Route Du Braye, Vale.

APPLICANT: Rock Business Centre

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: 26/05/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/10/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners Ltd: AA30-10460-S1-03C, 04C, 05B, 06A, 07A, 08, -11, -12 & -13.

Application Ref: FULL/2022/1884

Property Ref: C00839A000+C00840A000

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 on or before 23/03/2025.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2021/2298.

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 permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 24/03/2022, issued under planning application reference FULL/2021/2298, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

5. The doors hereby approved in the east elevations of Blocks 3 & 4, together with the linking extension approved under this application, shall be of solid construction and shall not incorporate any glazing whatsoever. No changes shall be made to these doors nor shall any additional doors be inserted in this elevation.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

6. All first floor windows installed in the east elevations of Blocks 3 and 4, together with the linking extension approved under this application, shall be fixed (i.e. non openable) and shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times. No changes shall be made to these windows nor shall any additional windows be inserted in this elevation, at ground or first floor level.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

7. Plant and machinery shall be operated inside of the buildings only while all doors and windows remain closed and no industrial activity of any kind shall take place outside of the proposed buildings.

Reason - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

Expiry Date: This permission will cease to have effect on 23/03/2025 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/2022/1884
Property Ref: C00839A000+C00840A000
Valid date: 06/10/2022
Location: Braye Road Industrial Site La Route Du Braye Vale Guernsey
Proposal: Variation to previously approved plans to erect 18 light industrial units with associated parking and landscaping, alterations to vehicle access and erect signage - Raise roof height, alter wall finish and alterations to fenestration to Units 1 & 2; Extend, raise roof height to create first floor level and alterations to fenestration to Units 3 & 4 (additional plans).
Applicant: Rock Business Centre

RECOMMENDATION - Grant: Planning Permission with Conditions:

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Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

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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 permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 24/03/2022, issued under planning application reference FULL/2021/2298, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

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6. All first floor windows installed in the east elevations of Blocks 3 and 4, together with the linking extension approved under this application, shall be fixed (i.e. non openable) and shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times. No changes shall be made to these windows nor shall any additional windows be inserted in this elevation, at ground or first floor level.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

7. Plant and machinery shall be operated inside of the buildings only while all doors and windows remain closed and no industrial activity of any kind shall take place outside of the proposed buildings.

Reason - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

OFFICER'S REPORT

Site Description:

The application site is located within an urban/built up area within the Vale parish. The site comprises approximately 0.42 hectares (2.6 verges) of former horticultural land situated to the south of La Route du Braye. The glass was cleared from the site between 1980 and 1996, and the land reverted to agricultural use for planning purposes. Works have however now commenced on implementing the approval granted under FULL/2021/2298, and the site is currently under development.

There are no significant changes in level across the site although there is a slight slope down from the north to the south and west to east. The site falls within the Lowlands Landscape Character Area in the Braye du Valle Wetlands.

Surrounding the site, the area comprises industrial units to the south and west, and residential properties to the north and northeast. The land to the east of the site comprises a former horticultural site and does not fall within the domestic curtilage of the adjacent dwellinghouse. That land would be classified as agricultural for the purposes of planning law. The north boundaries are formed by c1.8m high walls, with those to the west of the access road surmounted by trellising. The east boundary is relatively open to the adjacent land, marked by intermittent and sparse planting.

The site is accessed from La Route du Braye to the north of the site, which is a Traffic Priority Route, between existing residential properties.

The site is situated within the Bridge Main Centre Outer Area and the western part is allocated as part of the wider Saltpans Key industrial Area with the eastern part allocated as a Key Industrial Expansion Area as designated in the Island Development Plan. Situated to the north and sharing a boundary with the site is a protected building (Brayehurst).

Relevant History:

FULL/2021/2298 Permission to erect 18 light industrial units with associated parking and landscaping, alterations to vehicle access and erect signage. Approved 24/03/22

FULL/2022/1095 Rescind condition 4 of application number FULL/2021/2298 to erect 18 light industrial units in order to develop the approved scheme as a single phase of work, rather than in two phases. Approved 23/08/22

Existing Use(s):

Site under development

Brief Description of Development:

Permission has previously been granted to erect 18 light industrial units with associated parking and landscaping at this site, together with alterations to the vehicle access and erection of signage. The approved units were to be arranged in four blocks, Blocks 1 and 2 located to the west of the site and 3 & 4 to the east of the site. Blocks 1 & 2 were to provide 5 units each, with mezzanine first floors to each unit. Blocks 3 & 4 were to provide 4 units each, arranged over a single level.

The current application seeks to vary the previous approval as follows:

- Increase the height of all blocks by 0.75-1m;

- Omission of rooflights to all blocks;

Block 1

- Re-positioning of fenestration to east elevation at ground floor level and addition of first floor window;
- Alterations to fenestration to south elevation at ground and first floor level;
- Removal and alteration of fenestration at ground floor level, addition of one roller shutter door, and reduction in size, but increase in number of windows at first floor level to north elevation;
- Addition of cladding to west gable.

Block 2

- Re-positioning and alteration of fenestration to east elevations at ground floor level and north elevation at ground and first floor level;
- Additional window at first floor level to east gable;
- Alterations to fenestration in south elevation;
- Addition of cladding to west gable.

Blocks 3 & 4

- The submitted letter states this block is relocated south by 0.75m, however the submitted plans detail the same offset from the north boundary as previously approved, but with the southern end of the block projecting closer to the south boundary, therefore the proposal comprises an extension of Block 4 0.75m to the south;
- Alterations to fenestration to west elevation;
- All ground floor windows omitted from east elevation, solid doors retained;
- Reduction in number and size of first floor windows to east elevation, Block 4;
- Erect a linking structure between Block 3 & 4 to provide stair well, WCs and covered parking at ground floor level and additional accommodation at first floor. The first floor accommodation is not specified, however would appear to form a new self-contained unit. Two new windows are proposed in the east elevation at first floor level and a door within the stairwell;
- Installation of internal doors at ground and first floor level between Units 11 & 12 (Block 3) and 17 & 18 (Block 4).

The covering letter submitted with the application notes that, following detailed costing, the amendments are found to be required to make the development viable.

An amended Site Waste Management Plan has been provided.

Following deferral, a shadow analysis has been provided.

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
GP5	Protected Buildings
GP8	Design

GP9	Sustainable Development
IP6	Transport Infrastructure and Support Services
IP7	Private and Communal Car Parking
IP9	Highway Safety, Accessibility and Capacity

Braye Road Industrial Estate Development Framework Supplementary Planning Guidance June 2021.

Representations:

Four letters of representation received to the application as initially submitted raising the following points:

- The buildings contravene the Development Framework, which precluded buildings greater than 1 storey in height within 15m of the southern boundary of the adjacent protected buildings;
- The approved buildings already represent an intrusion on to neighbouring properties, in terms of the scale and proximity to the property boundaries;
- The proposed increase in height and new style of windows, and the infill of the gap between the approved blocks 3 & 4, would have a big impact on adjoining properties, particularly in terms of privacy and loss of sunlight, with almost the whole of the adjoining garden being overshadowed and overlooking into both the gardens and houses of adjoining properties;
- The plans do not show views of the buildings from adjoining properties;
- The plans (specifically AA30-10460-S1-03 Rev C) show opening windows or doors which appear to be in contravention of Condition 17 of the original approval which requires fenestration on the mezzanine floor to be obscurely glazed and fixed shut. Ground floor windows and doors will also look into adjacent property. It is queried why windows are needed in this elevation, given the associated impacts on privacy;
- If windows and doors are openable it is unlikely they will be closed prior to operation of plant and machinery, in contravention of Condition 16 of the original approval;
- There are no conditions requiring reinforcement of the boundary to the adjacent property for security and anyone could access that property from the application site;
- The landscaping won't be mature enough to stop overlooking of adjacent property, and won't grow well due to lack of sunlight. This plan was not available for neighbours to view, and there are concerns that an appropriate buffer is provided to neighbouring properties;
- What is the purpose of additional head height at first floor, the concern is this would enable subdivision of the units, resulting in additional traffic and site activity;
- The plans indicate large industrial doors on the warehouse units, suggesting the site will not be used just for storage and light industrial use. Would Condition 16 allow for loading/unloading lorries whilst the proposed doors

were open, this could lead to disturbance from 7am, for example unloading of scaffold poles;

- In respect of conditions attached to the previous decision, queries are raised as to how these will be monitored and enforced. Users of the site should be confirmed to the Authority to ensure they comply with the approved use classes. It is requested that representors on the previous application be consulted in respect of any lighting plan provided to discharge the conditions of that decision;
- The argument of viability was used to allow work to come forward across the whole site, in contravention to planning policy, and is now being used again, even though work commenced at site prior to planning permission being granted, therefore indicating that financing was not an issue. No feasibility study has been provided to demonstrate non-viability, and surely such work would have been carried out by such an experienced developer prior to committing to the site and certainly commencing work;
- The Waste Management Plan refers to 19 units, however the application form states 18;
- It appears likely that this is another in a series of applications to extend and increase the use of the site, with significant impacts on not only the enjoyment of neighbouring properties but the wellbeing of the occupants during the process.

A further letter of representation was received following submission of the shadow analysis reiterating the points made above and raising the following additional points:

- The shadow analysis confirms previous comments regarding the level of overshadowing of the adjacent property from 6pm in the summer months, when the occupants return from work and enjoy use of the garden;
- This application increases the impact as the warehouse will be a single block located only 3m from the boundary, blocking all evening sun;
- The shadow analysis does not state the height of the buildings. The land slopes downwards towards the douit, therefore the buildings will be higher at that part of the site;
- The bases of the warehouses have been constructed and it can be seen that the floor levels are higher than the ground level of the adjacent property, thereby making the overall height of the warehouses even higher, and consequently the impacts on neighbouring property even greater (photographs provided);

Further contact has been made by a representor during the course of consideration of the application, reiterating the concerns raised above and raising the following additional points:

- Whether the development is being constructed as approved, with particular reference to ground and floor levels;
- Whether the landscape buffer will be sufficient to protect the amenity of the adjacent property.

Consultations:

None undertaken.

Summary of Issues:

The principle of development;
Impact on the character of the area;
Impact on the setting of protected buildings;
Impact on neighbour amenity;
Impact on traffic and parking.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

The principle of development

The principle of this development was established under applications ref FULL/2021/2298 and FULL/2022/1095 and this application does not provide an opportunity to revisit that principle, any element approved under those applications or the conditions applied to the permissions granted. The assessment of this application must be limited to the new elements put forward under this application, and set out in the Brief Description of Development above, only.

The approved scheme incorporated mezzanine floors within Blocks 1 & 2, and, whilst mezzanines were not proposed as part of the approval, the building envelopes for Blocks 3 & 4 were designed to enable the incorporation of mezzanines if required in the future. The incorporation of mezzanines within Blocks 3 & 4 would not, in itself, require planning permission.

The proposed variations would seem to result in the provision of an additional unit in the linking element between Units 3 & 4, increasing the number of units at the site to 19, and would provide potential for amalgamation of previously authorised units within those blocks. Given that the mezzanine floors are accessed through the ground floors of each unit, the unit layouts would not however lend themselves to further subdivision. There is no guidance within policy or the approved Development Framework in respect of the number of units which can be provided at the site, and the proposed layouts would provide flexibility to address demand. In principle therefore the number of units and internal layouts proposed could be acceptable, provided that there would be no adverse impacts in respect of other material and policy considerations.

Impact on the character of the area

The assessment for the previous application found that the design of the buildings was utilitarian and industrial in nature and would be seen in context with the existing industrial buildings that surround the site to the south and west. The report observed that the bulk and massing of the elevations had been broken up with appropriately positioned windows and doors and using contrasting and appropriate materials. Situated behind buildings that front onto Route du Braye, the buildings were noted to be largely unseen from the roadside and would not significantly affect the character or appearance of the surrounding area.

The variations proposed under this application would retain the form and use of materials of the approved buildings (with the exception of additional cladding to the west elevations of Blocks 1 & 2), with a limited increase to the overall height of the buildings and alterations to the fenestration. These variations would not result in any significant additional impacts on character or visual amenity. The proposed infill between Blocks 3 & 4 would increase the bulk and massing along that boundary however, given the context described above, any additional impact on the character of the wider area would be limited.

Impact on the setting of the protected buildings

Block 1 is located on the same footprint as previously approved, 13m from the north boundary of the property. As approved that block already incorporated mezzanine first floors. The plans now submitted show an uplift of the roof of c1m, maintaining the approved form.

Whilst it is noted that the Development Framework precluded any development within 10m of the north boundary, and only permitted single storey development within 15m of that boundary, the previous application found that the proposed development was designed so as to minimise any harm on the setting of the protected buildings. The alterations now proposed would not significantly alter the impacts on the setting of the protected buildings, and the proposal would remain in accordance with Policy GP5 and the statutory duties of the Law.

Impact on neighbour amenity

The assessment of the previous application concluded that, taking into account the orientation of and distance from the buildings to adjacent properties, and the scale and form of the proposed buildings, any harm relating to overshadowing or light loss resulting from the development would be limited and would not be so substantial to warrant the refusal of planning permission. A shadow analysis has been provided as part of the current application and demonstrates that any additional overshadowing resulting from the increased height of the buildings under this application would be limited, and would not be of an extent which would warrant refusal of the application. It is acknowledged that the infill of the area between Blocks 3 & 4 would

result in additional overbearing and shadowing of the land to the east, however, the increased impact would not be significant and would be in the latter part of the day. The extent of shading would not impact on the ability to use the land for its authorised planning use, namely as agricultural land. Any use of that land for amenity purposes would be incidental to the agricultural use of the land, and shadowing of the land cannot therefore be considered in terms of residential amenity.

The alterations to the fenestration in the north elevation of Block 1 would not result in any increased impacts on the amenity of residential properties in that direction.

In respect of the openable doors to the east elevation of Blocks 3 & 4, these doors are at ground floor level and are shown to be of solid construction, with no glazing. This can be controlled by condition. The doors are required for means of escape from the approved units and will open on to a path running along the perimeter of the building. Both the doors and the path are as previously approved, therefore there is no scope to require alteration to these elements or additional mitigation as part of this application. All ground floor windows have been omitted from the east elevation under this application, therefore there will be no ground floor glazing facing the adjoining land. Condition 17 of the approval requires only those windows serving mezzanine floors within Blocks 3 & 4, i.e. windows at first floor level, to be fixed shut. The provision of doors would not therefore be contrary to the requirements of this condition. The current application also proposes a reduction in the amount and size of fenestration at first floor level in the east elevation, reducing any overlooking of the adjacent land. As noted above, the east elevation however faces over agricultural land, and not domestic curtilage, and any fenestration would not therefore impact on the enjoyment of residential amenity. The plans do however show that the first floor fenestration would be openable, contrary to Condition 17. Notwithstanding the comments made above, to prevent any adverse impacts on adjoining property it is recommended that the condition relating to obscure glazing and fixing of the first floor windows is reiterated as part of any decision issued under this application.

The previous application included the provision of a planting buffer to the agricultural land along the east boundary, and did not propose any additional form of boundary treatment. As noted above, this application does not provide an opportunity to revisit the previous decision, and there is nothing in the current application which would warrant the provision of additional boundary treatment.

The approved landscaping scheme includes planting of 12no new trees at c5m centres along the east boundary (7no Silver Birch, with 3no Hawthorn in the centre of the boundary and 2no English Oak to the south-east corner) and to the north boundary, 4no trees are to be planted adjacent to the northern end of Block 3, and 8no trees to the western side of the access road (3no Silver Birch in north-west corner and English Oak along remainder of boundary). The trees are to be planted at 1.8m in height. Along both boundaries the trees will have understory planting of

hawthorn and alder hedging planted at a density of 5 plants per sqm, stated to be kept to a minimum height of 1.2m and maximum height of 1.8m.

Overall and on balance, the variations proposed under this application would not result in significant additional impact on adjoining residential property and the proposal would remain acceptable in this respect, subject to the conditions outlined above.

Impact on traffic and parking

The proposed variations would not result in a significant intensification of the use of the site, and would not raise any additional road capacity or road safety concerns. Conditions applied to the previous application in relation to traffic management would remain in place.

The plans retain 42 parking spaces on site, excluding any provision within the buildings, and matching that previously approved. This provision is within the maximum standards for a development of this size, which would be 63 spaces, and would represent at least 2 spaces per unit. Parking provision at the site would therefore remain appropriate.

Other matters

The application has been assessed against the relevant planning policies of the Island Development Plan and the material considerations of the Law. Whilst the agent has cited development viability as a driver for the submission of the application, this does not form a material planning consideration and has not therefore informed the assessment set out above.

Other matters addressed within the report relating to the original application, such as landscaping, flood risk and sustainability, would not be affected by the proposed variations, and the conclusions and conditions in respect of those matters stand.

The letters of representation refer to the installation of new industrial roller doors under the current application. These were however approved under the previous application to the south elevation of Block 1, the north elevation of Block 2 and the west elevations of Blocks 3 & 4. The current application only proposes one extra roller door, to the north elevation of Block 1, and this has been addressed above. Condition 16 of the previous permission, requiring doors and windows to be closed during the operation of plant and machinery, would apply to these doors, however should be reiterated to include any additional/amended doors or windows approved under this application. The unloading of vehicles would not be included in the definition of the operation of plant and machinery, and there would not therefore be a requirement for the doors to be closed whilst unloading was undertaken, unless plant and machinery were also in operation at the same time. This matter does not however change as a result of the variations proposed under the current application

and cannot therefore be revisited as part of the assessment of the current application.

Although not directly relevant to the consideration of this application, it is noted that the following conditions attached to FULL/2021/2298 have been approved/discharged:

- 6: Landscaping scheme
- 12: Site Waste Management Plan
- 14: Construction Environmental Management Plan

Any suspected breach of condition brought to the attention of the Planning Service is investigated by the Enforcement team. The Planning and Development (Guernsey) Law, 2005 and associated Ordinances set out a number of mechanisms which can be used to address any such breaches. Matters raised in representation relating to the ongoing works on site, such as the height of the warehouse bases and the laying of hardcore within the landscape buffer area, have been referred for investigation.

It is not normal practice for the Service to publicise information submitted for discharge of condition. The information set out within this report however provides clarification in respect of the approved landscaping scheme.

This application would not vary or override the conditions attached to the previous decisions, controlling the uses and activities of the site and those would remain in place. The previous decision allowed for light industrial use of the site and, within a designated Key Industrial Area, it was not found to be necessary or reasonable to apply conditions requiring details of each individual occupier to be approved by the Authority, nor would it be reasonable to do so under the current application.

In respect of potential future applications for further amendments to the development at this site, the Authority must accept and consider any application made in accordance with the Law. Were any such applications made, they would be considered on their merits and against the policies and material considerations as set out above.

Conclusion

As set out above, the current application relates to variations to the approved scheme for development at this site only and does not provide an opportunity to revisit the previous decision.

In respect of the variations proposed, the level of additional impacts would not be significant and the application is considered to meet the purpose of the Law, material considerations and relevant planning policies. Consequently it is recommended that the application be approved, subject to the conditions set out above.

Date: 26/05/2023

