

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: Change of use from Light Industry (Use Class 24) to an Office (Use Class 15). Install equipment antenna to south gable, install rooflights and alterations to fenestration.

LOCATION: Unit 4, Cobo Business Centre, Clos de Salle, Route de Carteret, Castel.

APPLICANT: Pebbles 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: 19/12/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/10/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture Ltd - 2351 02.01A

Application Ref: FULL/2023/1759

Property Ref: D015490000

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 windows and doors in the east elevation shall be glazed with obscure glass, which shall thereafter be retained at all times. The windows shall be fitted with restrictor hinges, which shall thereafter be retained at all times. No changes shall be made to these windows or doors nor shall any additional windows or doors be inserted in this elevation.

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

5.Noise associated with any plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014.

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 18/12/2026 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/2023/1759
Property Ref: D015490000
Valid date: 16/10/2023
Location: Unit 4 Cobo Business Centre Clos de Salle Route de Carteret
Route de Carteret Castel Guernsey GY5 7YX
Proposal: Change of use from Light Industry (Use Class 24) to an Office
(Use Class 15). Install equipment antenna to south gable,
install rooflights and alterations to fenestration.
Applicant: Pebbles 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.

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 windows and doors in the east elevation shall be glazed with obscure glass, which shall thereafter be retained at all times. The windows shall be fitted with restrictor hinges, which shall thereafter be retained at all times. No changes shall be made to these windows or doors nor shall any additional windows or doors be inserted in this elevation.

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

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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

Brief Description of the site:

Cobo Business Centre is located at the end of Clos de Salle north of Route de Carteret and just south of the Mare de Carteret Playing Fields. There are residential properties to the west, south and east. The property is located within the Cobo Local Centre as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Industrial use class 24: light industry.

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

X
X
X
X

visual amenity acceptable
no material neighbour impact
traffic not affected

X
X
X

Policies considered most relevant:

LC4(B): Offices, Industry, Storage and Distribution in Local Centres - Change of Use
GP8: Design

Conclusion/Brief comment:

This application is for a change of use from light industry (use class 24) to office use (use class 15). Install equipment antenna to the south gable and two rooflights, one to each roof slope and some alterations to the fenestration on the east elevation.

Initially the proposal included the removal of the obscure glazing from the eastern windows, and to enlarge one of the ground floor windows. However, the obscure glazing was installed to ensure there was no overlooking into the neighbouring properties rear garden due to the low boundary wall.

The application was deferred to request that the obscure glazing remains or to install a fence on top of the wall to create screening from the clear glazed ground floor windows. The applicant decided to retain the obscure glazing, this will also be conditioned.

Policy LC4(B) generally supports proposals to change use between office and industrial, provided the new use is of a scale appropriate to the Local Centre and there would be no unacceptable adverse impacts on neighbouring uses. The preamble to the office, industry and storage and distribution policies notes that maintaining and enhancing the existing range of office, industrial and storage and distribution sites will also be important to the vitality of each Local Centre.

In this case, Unit 4 comprises a ground floor and first floor, totalling approx. 177m², and a change of this scale, within the Cobo Local Centre, from industrial to office use, will not have a significant effect on the existing range of uses, nor on neighbouring properties.

The previous permissions had some conditions restricting industrial activities, vehicle loading and times of operating. These would no longer be applicable. The condition on obscure windows with restrictors on the east elevation was to protect privacy for neighbours, and can also be reattached to any new permission.

There will be no changes to the exterior apart from enlarging a ground floor east facing window, so there will be no changes to the character and appearance of the surrounding area, and due to retaining obscure glazing on the east elevation there will be no impacts on the neighbouring properties.

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 Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 19/12/2023