

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: Variations to works previously approved to erect 18 light industrial units: Alterations to Block 2 to form 3-storey self storage building.

LOCATION: Rock Business Centre, Braye Road Industrial Estate, La Route Du Braye, Vale.

APPLICANT: Red 5 Limited

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: 02/07/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/12/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners Ltd: AA30-10460-S1-02B, -03D, -04E, -05C, -07C, -08C, -14B, -15B, -16A & -17.

Application Ref: FULL/2023/2465

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 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.No cladding shall be brought to the site until such time as details of the type, texture and colour of the cladding materials to be used have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development.

5.No part of the development hereby permitted shall be occupied or brought into use until there has been submitted to the Authority a report providing verification that the development has been carried out and monitored fully in accordance with the approved Site Waste Management Plan. Where there has been any variation from the approved Site Waste Management Plan, the report shall highlight and detail the reasons for this.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

6.The permission hereby granted relates only to the variation 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 variation only.

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/2023/2465
Property Ref: C00839A000 + C00840A000
Valid date: 15/12/2023
Location: Rock Business Centre Braye Road Industrial Estate La Route
Du Braye La Route Du Braye Vale Guernsey
Proposal: Variations to works previously approved to erect 18 light
industrial units: Alterations to Block 2 to form 3-storey self
storage building.
Applicant: Red 5 Limited

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.

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).

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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.

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

OFFICER'S REPORT

Site Description:

The application site is located within an urban/built up area within the Vale parish, to the north-west of an area of open land. The site comprises approximately 0.42 hectares (2.6 verges) of former horticultural land situated to the south of La Route du Braye, behind the residential roadside development. 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

FULL/2022/1884 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). Approved 26/05/2023

PREA/2023/1215 Pre-application enquiry regarding use of Block 2 for self storage and increase in height.

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. As part of the application to vary the approved works, an additional unit was approved between Blocks 3 & 4 and first floors were incorporated in those blocks.

The current application seeks to revise the design of Block 2, increasing the height of the building from 2 to 3 storey (from 7.9m above finished site level to 10.6m). The length of the building would remain as approved, with a 0.5m increase in width. The building would remain the same distance from the west site boundary, and would extend 0.3m closer to the south boundary. The roof profile would be similar to that previously approved, retaining the same finish and including the installation of solar panels. The wall cladding at first and second floor level would be metal, as opposed to the previously approved larch. The garage doors would be retained to the north elevation, all other fenestration would be significantly reduced.

The proposal would alter the use of Block 2 from 5no light industrial units to a single self-storage use, retaining 8 storage units with garage doors and 8 smaller storage units at ground floor and 36no units at both first and second floor, totalling 88 self storage units.

A Design Statement and an updated Site Waste Management Plan were provided as part of the application and an updated Sustainability Statement was received 27/06/2024.

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:

One letter of representation received raising the following points:

- The building would be higher than surrounding industrial buildings, without justification, and would not be in keeping;
- It is not clear how much higher than the Guernsey Press building this building would be;
- The Shadow Analysis only shows the impacts at midday, and should include other times of day. It is likely that the land to the east would be shadowed earlier than from the approved development;
- Requesting confirmation that the following conditions of the previous approvals will not be impacted upon by the current application:
 - 1) Hours of operation of the site;
 - 2) No windows or doors can be open when any unit is being used;
 - 3) The door must still be opened up.
- Concerns that there could be further applications to raise the height of other buildings on the development.

Consultations:

None undertaken.

Summary of Issues:

The principle of development;
Impact on the character of the area;
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. Those permissions allowed for the formation of 18/19 light industrial units at the site, however the report acknowledged that either light industrial or storage use would be permissible at the site and the decision was conditioned as follows:

The units hereby approved shall be used only for general storage or distribution (Storage/Distribution use class 22) or light industry (Industrial use class 24) as set out in the Land Planning and Development (Use Classes) Ordinance, 2017, or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance. On the first use of each unit, the authorised use of that specific unit shall thereafter be recognised as being the use class within which the use for which it was first used falls.

A self storage use would fall within Storage/Distribution Use Class 22 and the approved building could therefore be used for that purpose without the need for planning permission. The assessment undertaken in relation to this application therefore focuses on any additional impacts arising from the construction of a second floor to the approved building.

Impact on the character of the area

The application site is visible in long views from Saltpans Road to the south and south-east. The site is however substantially screened in views from Braye Road, visible only from Cleveleys and a short section of Braye Road opposite the end of Carriere Lane, and a glimpsed view from the entrance to the adjacent Industrial Estate.

The ridge height of the proposed building would be 10.6m, comparable to that of the industrial building to the west at 10.4m and lower than the Guernsey Press building to the south at 13.31m. The height of the building would also be comparable to or lower than the ridge heights of the majority of the domestic properties located between the site and La Route du Braye. Given those properties are also set on slightly higher ground than the application building, those buildings would effectively screen the site in views from the north, notwithstanding the significantly greater bulk of the proposed building.

In all views the building would be seen against and amongst the surrounding industrial buildings, and the addition of an additional floor as proposed, not extending above the ridge heights of the surrounding properties, would not significantly affect the character or appearance of the surrounding area.

Whilst Blocks 1 & 3 retain larch cladding, it is proposed to use metal cladding on the revised Block 2. Given the setting of the Block, to the rear of the site and adjacent to other industrial/storage buildings, this alteration would not result in significant impacts. Details of the cladding should however be required by condition.

Impact on the setting of the protected buildings

Block 2 is set away from the nearby protected buildings, which are located to the north of the site, and would be separated from those buildings by Block 1. The proposals would not therefore have any notable impact 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

Block 2 is set away from adjacent residential properties, behind Block 1 to the north and Block 3 to the north-east. The proposals would not therefore result in any additional impacts on the amenity of adjoining residential properties. This is reflected in the amended Shadow Analysis, which depicts impacts at different times of day and of the year, and demonstrates no additional overshadowing outside of the site.

Impact on traffic and parking

The plans retain 40 external parking spaces on site, excluding any provision within the buildings (Blocks 1 & 3 include the capacity to provide internal parking for all units within those buildings, and 8 of the self store units include vehicle access). This provision is 2 spaces less than originally approved. The proposed provision is below the maximum standards for a development of this size, which would be 76 spaces. Whilst the external parking is not specifically allocated, it is however noted that this would represent at least 2 spaces for each of the 14 approved units at the site, with 12 additional spaces for use either for those units or in association with the self storage. Whilst the Parking Standards do not differentiate between self storage and other forms of storage, the Self Storage Association UK note that parking requirements for self storage are low, indicating an average of 3 spaces per 100 units, and 88 units are proposed at this site. Taking this into account, together with the overall number of parking spaces at the site including spaces internal to the buildings, parking provision at the site would remain appropriate.

In respect of vehicle movements, the submitted information states that, based on information from the Self-Storage Association in the UK, vehicles movements associated with self storage uses are generally low and that the units are seldom by large vehicles. The applicant states that, generally, people access their self-storage units between 3-6 times a year, usually outside of peak traffic hours at weekends. Taking this into account it is considered that the addition of a third floor to the approved building, representing 36 additional self-store units, would not result in a significant intensification of use of the site, and would not therefore raise any additional road capacity or road safety concerns. Conditions applied to the previous application in relation to traffic management would remain in place.

Other matters

For the avoidance of doubt, all conditions attached to the previous decision, including in respect of hours of operation, closure of windows and doors during operation of plant and machinery, and requirements for landscaping, are not changed as a result of the current application and must still be adhered to. It should however be noted that the condition limiting hours of operation relates to the

industrial use of the site only, and not to the storage use. Given that it was not found to be necessary to limit the hours of operation of storage uses under the previous application, and the current proposal would not significantly alter the impacts arising from the development, it would not be reasonable to apply further limitations on the operating hours as a result of this application.

In respect of sustainable development, the inclusion of an additional storey represents a more efficient use of land and an updated sustainability statement has been submitted.

Conclusion

The level of additional impact arising from the variations proposed 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.

Date: 02/07/2024

