

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: Storage of site cabins for a temporary period (retrospective).

LOCATION: Saltpans Vinery, Route Militaire, St. Sampson.

APPLICANT: J W Rihoy

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: 14/05/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 03/04/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners - AB2-10756/S1-01A & S1-02A

Application Ref: FULL/2024/0547

Property Ref: B00889C000

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 site cabins hereby approved shall be removed from the site and the land shall be restored to its former condition on or before 13/11/2024.

Reason - In the interests of visual amenity and to prevent the proposal inhibiting the comprehensive development of the Saltpans Key Industrial Area.

Expiry Date: This permission will cease to have effect on 13/11/2024 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/2024/0547
Property Ref: B00889C000
Valid date: 03/04/2024
Location: Saltpans Vinery Route Militaire St. Sampson Guernsey
Proposal: Storage of site cabins for a temporary period (retrospective).

Applicant: J W Rihoy

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 site cabins hereby approved shall be removed from the site and the land shall be restored to its former condition on or before 13/11/2024.

Reason - In the interests of visual amenity and to prevent the proposal inhibiting the comprehensive development of the Saltpans Key Industrial Area.

OFFICER'S REPORT

Brief Description of the site:

Retrospective planning permission is requested for the storage of 12 site cabins for a temporary period of up to 6 months.

The site comprises of the undeveloped part of the Saltpans Key Industrial Area and is within a Main Centre Outer Area.

Relevant History:

None

Existing Use(s):

Agriculture use class 28

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:

Policy MC5(A): Industry, Storage and Distribution Uses in Main Centres and Main Centre Outer Areas – within Key Industrial Areas and Key Industrial Expansion Areas
Policy GP1: Landscape Character and Open Land
Policy GP8: Design

Conclusion/Brief comment:

Due to the limited time period and scale of development involved, the temporary storage of 12 site cabins for up to 6 months is unlikely to inhibit the implementation of industrial or storage and distribution development on the site and it would not prejudice the comprehensive development of the site.

Although the site cabins are visible from a section of Saltpans Road, they are set back over 150 metres from the highway and are seen in context with large industrial buildings to the north and are set against a back drop of mature vegetation which limits their visual impact. Together with the limited temporary period involved, the proposal is unlikely to have a significant adverse effect on the landscape character and amenity of the area.

Due to the distance to neighbouring properties, the storage of the site cabins is unlikely to have any adverse effects on the amenities of neighbouring residents.

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.

It is recommended that the application is approved.

Recommendation:

Grant with Conditions

✓

Date: 13/05/2024

