

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: Install windows at 1st floor level to north and east elevations, install doors and illuminated sign at ground floor level to north elevation.

LOCATION: Homefield, Rue De L'Epinel, Forest.

APPLICANT: Homefield Services

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: 03/09/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 03/07/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Soup Architects - 475_090, 475_100 (C2) & 475_300 (C1)

Application Ref: FULL/2024/1093

Property Ref: H00300A000

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 sign hereby approved shall be illuminated from the top with a concealed 250 lumen LED tape light, between 8am and 6pm Monday to Friday only. The sign shall not be illuminated outside of those hours.

Reason - To make sure the level of lighting is not excessive in order to secure a sustainable form of development and one which does not unduly interfere with residential amenity or the character of the area.

Expiry Date: This permission will cease to have effect on 03/09/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, the office space hereby approved is to be used only for purposes ancillary and incidental to the authorised industrial use of the premises and is not for independent use. Any such use would engage different planning considerations.

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/2024/1093
Property Ref: H00300A000
Valid date: 03/07/2024
Location: Homefield Rue De L'Epinel Forest Guernsey
Proposal: Install windows at 1st floor level to north and east elevations, install doors and illuminated sign at ground floor level to north elevation.

Applicant: Homefield Services

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 sign hereby approved shall be illuminated from the top with a concealed 250 lumen LED tape light, between 8am and 6pm Monday to Friday only. The sign shall not be illuminated outside of those hours.

Reason - To make sure the level of lighting is not excessive in order to secure a sustainable form of development and one which does not unduly interfere with residential amenity or the character of the area.

INFORMATIVES

For the avoidance of doubt, the office space hereby approved is to be used only for purposes ancillary and incidental to the authorised industrial use of the premises and is not for independent use. Any such use would engage different planning considerations.

OFFICER'S REPORT

Brief Description of the site:

Homefield is a two-storey industrial style building situated to the south of La Rue De L'Epinel. The building has a metal clad exterior and a double piled roof. Vehicular access is provided around the building with parking situated to both the north (front) and south (rear) of the building.

The site is located Outside of the Centres and is the subject of no other designation under the Island Development Plan.

Relevant History:

FULL/2020/0852 Change of use of part of building from General Industry (Use Class 25) to IT consultancy (Sui Generis) and alterations to fenestration. Approved 27/08/2020

FULL/2019/0985 - Variations to works previously approved for change of use of part of building from general industry (Use class 25) to IT consultancy (sui generis) - enlargement of unit within existing building. Approved 08-08-2020

FULL/2018/2851 - Change of use of one unit from general industry (Use class 25) to IT consultancy (sui-generis). Enlarge door and install ground and first floor windows (south elevation) and install ground floor and first floor windows (east elevation). Approved 24-01-2019

Existing Use(s):

Industrial Use Class 25 – General industry

Consultation:

The Office for Environmental Health and Pollution Regulation raise no objections.

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

OC3 Offices, Industry and Storage and Distribution Outside of the Centres
GP8 Design

Conclusion/Brief comment:

The existing use of Bays 7 & 8, to which this application relates, is General Industry at ground and first floor level. The permission issued under FULL/2020/0852 proposed a continuation of the General Industrial use at ground floor and a change of use of the first floor for an IT consultancy and disaster recovery units. Whilst an IT consultancy represents a light industrial use, the specific business involved comprised a significant range of uses which fell beyond the scope of light industrial alone, and the use was therefore considered to be sui generis, falling outside of the use classes, but of a predominantly light industrial nature and therefore acceptable under Policy OC3.

The current application appears to subdivide the ground floor into discrete elements, remaining within General Industrial Use. This work, in itself, would not require planning permission. The application as initially submitted however proposed to change the first floor to office (70sqm), a meeting room (16sqm) and a kitchen (6.5sqm), related to only 156sqm of industrial space. The proposed office would have comprised c50% of the associated industrial floor space and could not be considered an ancillary function of the industrial use. Following deferral, expanded plans have been provided, demonstrating that the applicant company would use a greater area of industrial/storage floor space than previously identified and clarifying the use of the first floor as part administrative function and part design-based, comprising a creative industry. The proposed use would therefore remain predominantly industrial and would not result in a change of use.

The first floor windows proposed to the east elevation match those previously approved, with the exception of a change from aluminium to upvc. Two windows were previously approved to the north elevation, where three are now proposed. The previously approved ground floor door in the north elevation is now proposed to be relocated on the elevation, and additional double doors are proposed. None of these changes would have any adverse impact on the appearance of the building, character of the locality, or amenity of neighbouring property.

The proposed sign is proportionate to the elevation and it has been confirmed that the sign will be illuminated from the top only with a concealed 250 lumen LED tape light, illuminated only between 8am and 6pm Monday to Friday. These matters can be controlled by condition and, given the discrete nature of the lighting and limited hours of operation, would not have any adverse impacts.

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: 29/08/2024

