

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: Erect storage container to north of Plot 2D.

LOCATION: Extension Vineries, Route Militaire, St. Sampson.

APPLICANT: Sanjiv's Gardens 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: 29/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 01/10/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Storage Containers Direct image with dimensions, Extension Vinery Block plan showing compound 2D

Application Ref: FULL/2024/1410

Property Ref: B006920000

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. Permission is hereby granted for the installation of a storage container on the site in the position as shown on the Extension Vinery Block Plan Drawing and of the dimensions specified on the Containers Direct image.

Reason - To define the permission for the avoidance of any doubt.

Expiry Date: This permission will cease to have effect on 29/10/2027 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/2024/1410
Property Ref: B006920000
Valid date: 01/10/2024
Location: Extension Vineries Route Militaire St. Sampson Guernsey
Proposal: Erect storage container to north of Plot 2D.

Applicant: Sanjiv's Gardens 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.

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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. Permission is hereby granted for the installation of a storage container on the site in the position as shown on the Extension Vinery Block Plan Drawing and of the dimensions specified on the Containers Direct image.

Reason - To define the permission for the avoidance of any doubt.

OFFICER'S REPORT

Brief Description of the site:

The application site is known as the former Extension Vinery site and is located on the west side of Route Militaire in St Sampsons. The site comprises a total area of 9,751m² and is accessed via a driveway to the east of the site onto Route Militaire. The site is currently being used for storage and distribution purpose following the grant of planning permission ref: FULL/2016/2864.

Land uses in the vicinity of the site are residential properties to the northeast, east and south, with a former glasshouse site to the north and fields to the west, southwest and northwest.

The application site is situated Outside of the Centres as designated in the Island Development Plan (IDP).

Relevant History:

FULL/2024/1490	Erect storage container to south-west of plot 3F	Pending consideration
FULL/2024/1465	Erect 2 storage containers to south of plot 2E	Pending consideration
FULL/2024/1186	Install shipping container to east of site.	Granted 28/08/2024
FULL/2024/1142	Install shipping container retrospective	Granted 08/08/2024
FULL/2023/2234	Install storage container to south-west of site and vary condition 4 of previous permission FULL/2022/2245	Granted 03/04/2024
FULL/2022/2245	Change of Use of land from Agricultural (Use Class 28) to Storage/Distribution (Use Class 22) - Variation to Condition 9 of previous permission (FULL/2016/2864) for temporary retention of existing storage building, permanent retention of shipping containers and alterations to acoustic fencing to south-east boundary.	Granted

FULL/2016/2864	Change of use of land from Agricultural (Use Class 44) to storage and distribution (Use Class 30).	Granted
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Existing Use(s):

Open storage and distribution use

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:

OC3: Offices, Industry and Storage and Distribution Outside of the Centres;

GP1: Landscape Character and Open Land;

GP8: Design;

GP9: Sustainable Development

Conclusion/Brief comment:

Planning permission is sought for the installation of a shipping container on one of the individual storage compounds within the site.

The proposed storage container is of a standard scale, design and appearance and will match the existing containers on site. The container is well screened from the surrounding area by the acoustic fencing and by planting situated along the boundaries of the site. It will have minimal visual impact and would not negatively affect the openness or landscape character of the surrounding area. The compound and container as drawn on the submitted 1:1000 scaled block plan drawing is in the wrong position when compared to the submitted Extension Vinery Block Plan drawing. The block plan drawing is not to scale but shows a true reflection of how the site is laid out. It is recommended that the 1:1000 scaled block plan is therefore discounted and for the avoidance of any doubt a condition is included to ensure that a container of the size specified on the Containers Direct image in the position shown on the Extension Vinery Block Plan drawing is installed.

The container will be used for storage ancillary to the main industrial use of the site/compound and its need has been demonstrated as part of the supporting information for the application. The scheme therefore accords with Policies OC3, GP1 and GP8 of the IDP.

The unit hereby proposed can only be used in association with the storage use of the land, any other use would require a further application for planning permission. In light of that fact and given the limited visibility of the container from outside of the site, it is not considered necessary to require removal of the container should the authorised use cease.

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: 28/10/2024

