

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 shipping container to west of site (for temporary period of 3 years).

LOCATION: Town Arsenal, Arsenal Road, St. Peter Port.

APPLICANT: Office Of The Committee For Home Affairs

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: 15/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/09/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: States Property Unit - 6281 / 181 & 182.

Application Ref: FULL/2024/1537

Property Ref: A115120000

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.At the expiration of a period ending on 15/10/2027 unless further permission has been granted, the shipping container hereby permitted shall be removed and the land restored to its former condition.

Reason - The temporary nature of the application means there has to be a completion date when the container must be moved or another application submitted for it to remain.

5.For the avoidance of doubt, this decision authorises the temporary shipping container permitted to be used only for purposes ancillary or ordinarily incidental to the authorised use of the premises by Guernsey Fire and Rescue Services, and does not authorise any separate, independent use.

Reason - For clarification, the permission is limited for use by the Guernsey Fire Service only and an alternative use may involve different policy considerations.

Expiry Date: This permission will cease to have effect on 15/10/2027 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/2024/1537
Property Ref: A115120000
Valid date: 16/09/2024
Location: Town Arsenal Arsenal Road St. Peter Port Guernsey
GY1 1UW
Proposal: Erect shipping container to west of site (for temporary period
of 3 years).

Applicant: Office Of The Committee For Home Affairs

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. At the expiration of a period ending on 15/10/2027 unless further permission has been granted, the shipping container hereby permitted shall be removed and the land restored to its former condition.

Reason - The temporary nature of the application means there has to be a completion date when the container must be moved or another application submitted for it to remain.

5. For the avoidance of doubt, this decision authorises the temporary shipping container permitted to be used only for purposes ancillary or ordinarily incidental to the authorised use of the premises by Guernsey Fire and Rescue Services, and does not authorise any separate, independent use.

Reason - For clarification, the permission is limited for use by the Guernsey Fire Service only and an alternative use may involve different policy considerations.

OFFICER'S REPORT

Brief Description of the site:

The site known as 'Town Arsenal' is home to the St Peter Port Fire Service. It is situated north of Arsenal Road and west of Monument Road. There are residential properties to the north and a business and detached neighbour to the west. The property is located in the St Peter Port Main Centre Outer Area as defined in the Island Development Plan. The site is a Protected Building.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Use class 29: Suis generis

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:

MC3: Social and Community Facilities in Main Centres and Main Centre Outer Areas

GP4: Conservation Areas

GP5: Protected Buildings

GP8: Design

Conclusion/Brief comment:

This application is to place a container temporarily in the northwest corner of the site to be used as a decontamination unit. The unit would be in place for a maximum of three years with the current plan to be for the decontamination unit to be relocated, within an existing workshop.

A container has a relatively low profile and the proposed location is hidden from any public views.

As it is to be in position for a temporary length of time, it is not considered to have any impacts on the special interest of the protected building or its setting, nor will it have any detrimental impacts on the character and appearance of the surrounding conservation area.

The container is also not considered to have any adverse effects on neighbour amenity.

The proposals, for a temporary period, 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: 15/10/2024

