

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: Variation to previously approved plans for change of use of agricultural land (1,261sqm) to Storage and Distribution (Use Class 22), widen vehicle access, erect gates, earthbank and install hardstanding - Material change of hardstanding to concrete.

LOCATION: Rue Des Pointes, St. Andrew.

APPLICANT: CDS Property 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: 11/02/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/01/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd - 5672-08C1, C2

Application Ref: FULL/2025/0052

Property Ref: K002020000+K00208A001

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 on or before 18/04/2027.

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 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 18/04/2024, issued under planning application reference FULL/2023/1005, 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 11/02/2028 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/2025/0052
Property Ref: K002020000+K00208A001
Valid date: 10/01/2025
Location: Rue Des Pointes St. Andrew Guernsey GY6 8UH
Proposal: Variation to previously approved plans for change of use of agricultural land (1,261sqm) to Storage and Distribution (Use Class 22), widen vehicle access, erect gates, earthbank and install hardstanding - Material change of hardstanding to concrete.

Applicant: CDS Property Limited

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 on or before 18/04/2027.

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 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 18/04/2024, issued under planning application reference FULL/2023/1005, and subject to the terms and conditions thereof.

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

OFFICER'S REPORT

Brief Description of the site:

The application site consists of a storage and distribution site, known as Channel Distribution Services (CDS). A large warehouse is located towards the west of the site and is accessed via both Rue Des Pointes and Route De La Croix Au Bailiff.

The site is accessed to the west by both customers and delivery vehicles, with staff accessing the site from the east due to the narrowness of the access, as approved as part of a previous permission (FULL/2014/0488). An outside storage area was also approved to the rear (east) of the site as part of permission FULL/2014/0488, and storage provision was limited to two metres in height.

A large area of agricultural land bounds the site to the north, the subject of this application, and once featured multiple glasshouses. The site is located Outside of the Centres as designated in the Island Development Plan.

Planning permission was granted in 2024 (FULL/2023/1005) to change the use of agricultural land immediately to the north of the site (measuring 1,261sqm as noted on the application form) to Storage and Distribution (Use Class 22). Permission was also granted to remove a water tank, widen the vehicle access, and erect gates to the west (front) of the site, and construct an earth bank and lay hardstanding to the side (north) of the building.

Planning permission is now sought to vary the permission (FULL/2023/1005) by omitting the use of brick SuDS paving to serve the approved delivery/turning area, and to replace it with a concrete slab with perimeter ACO drainage channels and soakaway. The reason for the change is set out in the agent's letter dated 7th November 2024 for three main points, including; Longevity, Drainage and Spillages.

Relevant History:

FULL/2023/1005	Change of use of agricultural land (1,261sqm) to Storage and Distribution (Use Class 22), remove water tank, widen vehicle access, erect gates, earthbank and install hardstanding.	Granted
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PREA/2022/2320	Extension of curtilage and new access.	Pre-application enquiry.
FULL/2014/0488	Demolish existing glasshouses and extend warehouse to rear (north-east) and create storage yard with associated landscaping and parking.	Granted
FULL/2009/3152	Demolish existing storage building and erect new warehouse.	Granted

Existing Use(s):

Channel Distribution Services - General storage/distribution use class 22.
Land to the north of the site - Agricultural 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 OC3: Offices, Industry and Storage and Distribution Outside of the Centres
Policy OC5(B): Agriculture Outside of the Centres – outside the Agriculture Priority Areas
Policy GP1: Landscape Character and Open Land
Policy GP8: Design
Policy GP9: Sustainable Development
Policy GP15: Creation and Extension of Curtilage
Policy IP7: Private and Communal Car Parking
Policy IP9: Highway Safety, Accessibility and Capacity

Defining Redundant Glasshouse Sites - Supplementary Planning Guidance (2018).

Consultation:

The Office of Environmental Health and Pollution Regulation's comments:

*I have reviewed the proposed variation plans for CDS Ltd which were received by email on 17th January 2024. I note we have previously provided comments on application **FULL/2023/1005** and understand these comments will continue to be applied to the original application for development. In regard to the variation, **FULL/2025/0052**, for a material change of hardstanding to concrete. I do not wish to raise any further objections to the variation.*

Conclusion/Brief comment:

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.

In light of the comments from the Office of Environmental Health and Pollution Regulation, together with the sensible and pragmatic justification set out in the agent's letter, it is considered reasonable to allow this change in surface material from SuDS paving, to a concrete slab with perimeter drainage. The practicalities for the use of the site i.e. an extension of the general storage/ distribution use of the site, outweighs the reasons for retaining the SuDS paving.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 10/02/25