

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: Demolish existing building, erect single storey building/store to east boundary.

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

APPLICANT: Mr M Loveridge

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: 28/03/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 31/01/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 6504/A/1.

Application Ref: FULL/2025/0176

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.

Expiry Date: This permission will cease to have effect on 27/03/2028 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/2025/0176
Property Ref: B006920000
Valid date: 31/01/2025
Location: Extension Vineries Route Militaire St. Sampson Guernsey
Proposal: Demolish existing building, erect single storey building/store to east boundary.

Applicant: Mr M Loveridge

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.

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 (5 Verges, 38 Perch).

The site is accessed via a driveway to the east of the site onto Route Militaire.

Land uses in the vicinity of the site are residential properties to the northeast, east and south, with a neighbouring 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.

Relevant History:

FULL/2025/0171	Erect container to plot 2i, west of site (Retrospective)	Pending consideration
FULL/2024/1490	Erect storage container to south-west of plot 3F.	Granted 05/12/2024
FULL/2024/1465	Erect 2 storage containers to south of plot 2E.	Granted 28/10/2024
FULL/2024/1410	Erect storage container to north of Plot 2D.	Granted 29/10/2024
FULL/2024/1186	Install shipping container to east of site.	Granted 28/08/2024
FULL/2024/1142	Install shipping container to west of site (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 06/04/2023
FULL/2016/2864	Change of Use of land from Agricultural (Use Class 44) to Storage/Distribution (Use Class 30).	Granted 22/03/2017

Existing Use(s):

Storage and Distribution (Use Class 22)

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:Island Development Plan Policies:

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:

Conditional planning permission was granted on 22/03/2017 to change the use of the site from agricultural, to storage and distribution use. Condition 9 of the permission stated the following:

"The site shall not be first used for the purpose of storage as hereby approved until such time as all existing buildings, glasshouses and structures have been demolished and all ancillary materials, works and structures have been removed from the site."

Permission was granted on 6th April 2023 amongst other things, to vary condition 9 of the original permission, to allow for the temporary retention of the existing storage building for a two-year period, expiring on 06/04/2025. The temporary retention of the building was allowed on the basis that it stored items required for the upkeep/maintenance of the site and to allow the applicant additional time to find a suitable solution to relocate such items. Given that the storage building was and remains in a poor condition and that it was required to be demolished as part of the original permission, permanent retention of the building was not considered to be an acceptable solution.

The original permission to convert the site from a former vinery into a storage and distribution use has been fully implemented and all conditions of the permission have been discharged. The site has been appropriately segregated into separate storage compounds and there are numerous businesses that now operate/use this site for storage and distribution purpose. On this basis the site comprises an existing storage and distribution premises for the purpose of policy OC3.

Policy OC3 supports proposals to extend, alter, or redevelop existing storage and distribution or office premises. In relation to works to existing industrial and storage and distribution premises policy OC3 requires the applicant to demonstrate that any development proposed complies with four individual criteria (shown in bold italics with an assessment against each criteria below):

- i. the development is of a scale and form that respects the character of the surrounding area and would not adversely affect or detract from the amenities of existing surrounding uses especially with regard to noise, vibration, smell, fumes, smoke, soot, ash, dust or grit; and,***

The proposed building represents an overall reduction of about a third in size (from 161m² to 109m²) when compared to the existing building on site. When considering the overall size of the site and the requirements for the building, it is of a scale and form that respects the character of the surrounding area. Given that the height of the building has been kept to a minimum and will be approximately the same height as the 3m tall acoustic fencing positioned along the boundaries of the site and that the doors have been oriented away from neighbouring properties, the proposal would not detract from the amenities of existing surrounding uses.

- ii. the development will not jeopardise highway safety and the free flow of traffic on the adjoining highway; and,***

the proposal will utilise the existing access arrangements at the site. The building will be used by the applicant (the owner of the whole site) to store items required to maintain the site and therefore accords with the recognised use of the site. The doors have been positioned to allow for easy access onto the main driveway and the use as proposed would not significantly change or result in additional traffic movements above that already present on site. The proposal would therefore not jeopardise highway safety or the free flow of traffic on the surrounding highway network.

- iii. the site will be laid out to achieve the most effective and efficient use of the land and the least negative visual and amenity impacts with buildings, materials, parking, access, and open storage areas designed to respect the character of the area; and,***

The proposed building has been appropriately located on the site, close to the existing acoustic boundary fencing to ensure that the most effective and efficient use of the land is achieved. Furthermore, by locating the building close to the fencing it will be largely hidden from view within the surrounding area ensuring that it has the least visual impact on this locality.

- iv. the proposal includes details of an appropriate soft landscaping scheme, which will make a positive contribution to the visual quality of the environment and will sufficiently screen the activities on the site and mitigate impacts.***

As part of the original planning permission for this site an appropriate landscaping scheme was included and was required to be planted by conditions on the permission. The landscaping scheme has been implemented in accordance with the approved details on site. Furthermore, the acoustic fencing and buffer planting acts as an appropriate visual barrier to screen the development on site from public vantage points along Route Militaire. The requirement for additional landscaping in this instance would be both unreasonable and unjustifiable.

For the reasons referred to above, the scheme complies with criteria (i) to (iv) of Policy OC3.

Further to the above, situated behind the acoustic fencing and buffer landscape planting, and largely hidden from view from public vantage points, the scheme would not harm the openness or landscape character of the surrounding area and complies with Policy GP1 of the IDP. The building represents a good standard of design using high quality materials appropriate for the intended use and in keeping with the character and appearance of the surrounding area. Given its location and distance from neighbouring properties it would not cause harm to the amenities of surrounding uses. The proposal complies with policies GP8 in this respect.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

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.

The application is acceptable in relation to the above policies and other material planning considerations.

Recommendation:

Grant with Conditions



Date: 27/03/2025

