

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND SECTION 19 OF THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

PROPOSALS: Demolish existing buildings and erect 3 blocks forming 20 storage and distribution units (Use Class 22), including change of use of agricultural land (460m²), installation of hardstanding and associated works; Variation of condition 24 of FULL/2017/0995 to extend the operating hours of the site to 0700-1900 Monday to Friday.

LOCATION: Avondale & Domarie Vineries, Oatlands Lane, St. Sampson.

APPLICANT: Green Trees Limited

I refer to the application referred to below received as valid on 17/07/2025 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 01/04/2026

Drawing Nos: PF+A Ltd: 7428-04/B1A, /B2B, /B3A & /B4A.

Application Ref: FULL/2025/1066

Property Ref: B010310000 + B01032A000

The Development & Planning Authority has decided to refuse your application under the provisions of section 16 of the Land Planning and Development (Guernsey) Law, 2005 for the following reasons:-

1. The scale and form of the proposed development does not respect the character of the surrounding area and the proposal would not therefore comply with Policy OC3i) (Offices, Industry and Storage and Distribution Outside of the Centres) or GP8a) or c) (Design).
2. The extension of operating hours at the site would have an adverse effect and detract from the amenities of existing surrounding uses, and the proposal would not therefore comply with Policy OC3i) (Offices, Industry and Storage and Distribution Outside of the Centres), GP8d) (Design) or GP9 b) (Sustainable Development).

OTHER REMARKS:-**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, against a decision to refuse an application for planning permission or outline planning permission to the Planning Tribunal on the merits. 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.

Copy of representations made

In reaching this decision the Development & Planning 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 to the Authority under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2025/1066
Property Ref: B010310000 + B01032A000
Valid date: 17/07/2025
Location: Avondale & Domarie Vineries Oatlands Lane St. Sampson
Guernsey
Proposal: Demolish existing buildings and erect 3 blocks forming 20
storage and distribution units (Use Class 22), including change of
use of agricultural land (460m²), installation of hardstanding
and associated works; Variation of condition 24 of
FULL/2017/0995 to extend the operating hours of the site to
0700-1900 Monday to Friday.
Applicant: Green Trees Limited

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The scale and form of the proposed development does not respect the character of the surrounding area and the proposal would not therefore comply with Policy OC3i) (Offices, Industry and Storage and Distribution Outside of the Centres) or GP8a) or c) (Design).
 2. The extension of operating hours at the site would have an adverse effect and detract from the amenities of existing surrounding uses, and the proposal would not therefore comply with Policy OC3i) (Offices, Industry and Storage and Distribution Outside of the Centres), GP8d) (Design) or GP9 b) (Sustainable Development).
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OFFICER'S REPORT

Site Description:

The application site comprises a 12 vergee former glasshouse site set on the north-east side of Oatlands Lane. Following consent for change of use of the south-east section of the site for storage use in 2017, the former glasshouse structures on the north and south-west parts of the site have been cleared and a new access driveway has been formed to access the approved storage area. A planted bank has been formed along the south-west edge of that storage area.

The site wraps around a residential property known as Avondale to the west to border Oatlands Lane on either side of that property. To the north-west and south-east ends of the roadside boundary the property borders two further residential properties, known as Southview and Arroutresse. Along the north boundary, the remainder of the south

boundary and part of the east boundary the site borders agricultural land. For the remainder of the east boundary the site abuts another horticultural site.

The site is located Outside of the Centres in the Island Development Plan, and immediately to the south of an Agriculture Priority Area.

Relevant History:

FULL/2017/0995 - Change of use of horticultural buildings, glasshouse and land to southeast of site to form 16 storage units and 2 open yards. Undertake landscaping. (Revised scheme). Approved subject to the following conditions:

Condition No	Approved condition:	Status:
4	Phasing timetable for site clearance (timeframe varied under FULL/2019/2623)	Approved 05/08/21
5	Method statement for site clearance (timeframe varied under FULL/2019/2623)	Approved 05/08/21 Amended 27/11/25 to enable limited areas of hardsurfacing/footings to north and south of site to be retained.
6	Timetable for alterations to the access drive (timeframe varied under FULL/2019/2623)	Approved 05/08/21
7	Details of means of closure of the southern access (timeframe varied under FULL/2019/2623)	Discharged 10/12/21 Amended 27/11/25 – Implemented in accordance with amended details.
8	Acoustic fencing for open yard associated with Building B16 (timeframe varied under FULL/2019/2623)	Related to specific part of development – Not implemented.
9	Acoustic fencing for yard labelled G4	Related to specific part of development – Not implemented.
10	Landscaping scheme (timeframe varied under FULL/2019/2623)	Discharged 02/11/21
11	Implementation of landscaping scheme	Discharged.
12	Details of any works to the streams along the south-west and north boundaries of the site, or the area of open water in the north-east corner of the site (timeframe varied under FULL/2019/2623)	Discharged 10/12/21
13	Details of any replacement cladding or vinyl	Related to specific part of development – Not implemented

14	Contaminated land condition	Discharged 11/06/2025
15	<i>The buildings and yards hereby approved shall only be used by the operators named on Page 16 of the Supporting Document prepared by CMA Architects and submitted 16/07/19. Notwithstanding the provisions of the Use Classes Ordinance, details of any other operator to operate from the premises shall be submitted to and approved in writing by the Authority prior to any occupation by those occupiers.</i>	Ongoing
16	<i>Each building and the associated open yards hereby approved shall be used by a separate operator and shall not be amalgamated or used in conjunction with any other building on the site at any time.</i>	Ongoing
17	<i>Buildings B1 (Toilet block) and B7 (Canteen block) shall be used for purposes ancillary to the uses hereby approved only, and shall not be used to provide separate accommodation for independent operators.</i>	Ongoing
18	The structures referred to as B4, B5 & B6 shall not be used for the purposes hereby approved until those structures have been relocated to the positions specified on the approved plan. The structures shall be relocated in accordance with the phasing timetable to be agreed under Condition 4, or those structures shall be entirely removed from the site.	Varied 27/11/25 to enable B4 to be retained in situ for 1 additional year. B5 & B6 have been relocated as approved.
19	<i>No industrial activity whatsoever, including the cutting or working of stone, shall be undertaken at the site.</i>	Ongoing
20	<i>No storage of any description shall take place outside of the buildings or designated open yards hereby approved.</i>	Ongoing
21	<i>Goods, equipment or materials stored within the open yards shall not be stacked or deposited to a height exceeding 3 metres at any time unless otherwise agreed beforehand in writing by the Authority.</i>	Ongoing

22	<i>The maximum size of vehicle permitted on the site will have a maximum wheel base of 3.35m and a maximum gross vehicle weight of 3500kg unless otherwise agreed in writing by the Authority.</i>	Ongoing
23	<i>Any parking of vehicles on the site shall be only in association with the approved businesses and in the designated parking spaces.</i>	Ongoing
24	<i>No use of the site, including any working on, delivery, removal or movement of goods, equipment or materials stored on the site shall be carried out other than between 0800 hours and 1800 hours on Mondays to Fridays, and 0800 hours and 1330 hours on Saturdays, and there shall be no working on Sundays or Public Holidays.</i>	Ongoing

Existing Use(s):

South-east of site: Storage units and open yards

Remainder of the site: Agricultural land

Brief Description of Development:

Permission is sought to demolish the existing structures in the south-east corner of the site and to construct 5no 60m long bays, each divided into 4no 150sqm units, forming 20 units at the site. As initially proposed, the height of the bays was to be 7m to the ridge and 5m to the eaves however, following deferral, the design of the building has been amended to be 5.2m to the ridge and 4.76m to the eaves.

As part of the proposal, the previously approved storage area would be extended c6m on to the agricultural land to the north (an area of c460m²). Each unit would be finished in composite panel sheeting in anthracite grey and would benefit from 2 allocated parking spaces immediately adjacent to that unit. An additional parking/hardstanding area is proposed to the west of the storage area.

The previously approved canteen and toilet blocks in the centre of the site would be retained.

A landscape buffer is proposed to the south and part of the east boundaries.

Following deferral, the wall to the south side of the main access is to be reconstructed, including a bellmouth.

A supporting letter is provided raising the following points:

- The previous approval allowed for 3511sqm of internal and external storage space;
- The current proposal is for 3000sqm of storage space;
- External yards will be omitted, dense additional screen tree planting is to be provided and units are to be constructed of insulated panels, limiting impacts from the site;
- The construction is robust and energy efficient, and cost efficient to construct and maintain, suitable for the lower value end of the commercial market;
- Solar panels could be incorporated if required in the future, however installation at this stage would add costs and affect the end rental rate of the units;
- Vehicle size would remain within the constraints of Condition 22 attached to the previous decision (note on initial drawing has been amended to reflect this);
- The scale and nature of the businesses would be similar to those previously approved, and the proposal would standardise the size of the units;
- The proposal remains for 2no parking spaces per unit, with an additional overflow space adjacent to the canteen and toilet blocks, comparable to that previously approved;
- It is proposed to extend the hours of use to between 0700-1900 Monday to Friday, and to allow for the collection of pre-loaded/unloaded vehicles outside of those hours, as at the open yards at Extension Vineries (ref FULL/2016/2864);
- An area of land would be transferred to the residential property at Avondale, retaining its agricultural classification, and providing a further buffer to that property;
- If considered necessary, a minor departure is requested.

A Site Waste Management Plan has been submitted in support of the application.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

OC3 Offices, Industry and Storage & Distribution Outside of the Centres
 OC5(B) Agriculture Outside of the Centres – outside of the Agriculture Priority Areas
 GP1 Landscape character and open land
 GP8 Design
 GP9 Sustainable Development
 GP15 Creation and extension of curtilage
 IP7 Private and communal car parking
 IP9 Highway safety, accessibility and capacity

Strategy for Nature Supplementary Planning Guidance

Representations:

Two letters of representation were received from members of the public to the plans as initially submitted, making the following comments:

- Not all conditions attached to the previous permission have been met:

- Condition 5 has not been fully met as the paths, pipes and structures which served one of the greenhouses have not been cleared;
- Condition 14 is registered as not being complete but the document cannot be opened on the website;
- The number of units is high relative to the nature of the surrounding area and capacity of the surrounding highways;
- A timber finish, as per the recently constructed Rock Business Centre, would be more appropriate to the character of the area;
- Planting of trees would help hide the proposed buildings;
- Solar panels should be added at the outset;
- The hours of operation extend beyond those previously approved and, further, include collection of vehicles outside of these hours. This could mean the site is open 24-7 which is unacceptable in this densely populated area;
- The submitted statement notes that Condition 22 will be adhered to, however the plans note a larger vehicle size;
- Larger vehicles would not be suitable, or potentially able, to use the narrow surrounding lanes and would increase road safety risks, particularly for vulnerable road users;
- This area is part of the Better Transport Plan for the north, with proposals for preventing through traffic on Duveaux Lane and making Les Sauvagees one way with a continuation of the cycle contraflow and improvements to the difficult junction with Route Militaire;
- Querying if it will be a requirement for planting to be native species and grassland to be sown with local seed;
- The site notice was not clearly displayed.

St Sampson Douzaine made the following comments in respect of the plans as initially submitted:

- The proposal is for an increase in units by 25%;
 - The occupants of the units are unknown;
 - This represents an intensification of use, including traffic;
 - Likely to result in adverse impacts on the amenities of surrounding uses, notwithstanding the use of insulated cladding. Mitigation measures, including landscaping, should be conditioned;
 - The surrounding road network's ability to cope with the additional vehicle movements, taking into consideration the narrow lane network, road design and vulnerable users;
 - No vehicle tracking is provided to demonstrate safe access/egress, without crossing into the designated cycle/footpath;
 - Grow Ltd was a single business for a temporary period and is not a suitable comparison, nor is Extension Vineries, which has better access on to arterial roads.
- The proposal includes a substantial increase in access times, to allow access 12 hours a day Monday to Friday and to allow for pre-load and unload outside of those hours, essentially any time of day or night.

- There is a discrepancy between Condition 22 of the previous approval and the notes on the submitted plans.
- The material palette does not respect the rural character, timber cladding would be preferable.
- Local residents may not submit representation due to planning fatigue.

La Societe Guerneslaise commented in respect of the plans initially submitted as follows:

In respect of this application, we would like to highlight that outbuildings of this type can be used by roosting bats and nesting birds. This likelihood can increase when the property is located within a variable landscape with habitats such as farmland or woodland nearby. The Bailiwick Bat Survey has shown that there are bat populations in this particular part of the island.

We would recommend that the existing buildings, in particular the roofspaces, be inspected for current or recent use by bats and/or birds by a suitably qualified person prior to any building works. This would reduce the risk of disturbing or destroying animals which are legally protected under the Animal Welfare Ordinance 2012.

We would request that, if this application is considered further, an informative note be added to the Information Sheet as follows -

‘Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing building may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any demolition works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Société Guerneslaise for advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg.

We would suggest that the plans are assessed in terms of their overall ecological impact in order to ensure that appropriate mitigation can be considered. For example, additional sources of outdoor lighting can be detrimental to various wildlife.

Finally, we would recommend that suitable landscaping incorporating a high proportion of native species be included. Ideally these planting proposals would be independently assessed by a suitably qualified person to ensure they are appropriate to the site and maximize net ecological gain where possible.

Those who made representation were notified of the initial set of amended plans, however no further comment was received. No further consultation was made in respect of the second set of revised plans.

Consultations:

Traffic and Highway Services commented on the plans as initially submitted as follows:

I refer to the application received on 21st July 2025 by Green Trees Limited for the above request.

This application follows previous submissions by Mr & Mrs B. Slattery:

- **FULL/2017/0995** (April 2017)
- **FULL/2019/2623** (December 2019)

These followed an Open Planning Meeting where permission was granted for the change of use of horticultural buildings and surrounding land to form 16 storage units and 2 open yards, subject to conditions.

As the design and scope of the current proposal are largely consistent with the previous applications from both a road safety and traffic management perspective, THS refers to its previous commentary under FULL/2017/0995 as the basis for this response but will add the following additional comments:

THS notes that although the number of storage units has increased, the overall area has been reduced. Each unit is now standardised to 150 m², catering to smaller businesses. The previously proposed larger units of up to 1,000 m² are no longer included. Additionally, the open storage yards from earlier applications have been omitted in favour of the smaller, enclosed units. This change would further support previous THS comments in relation to limitations on the type of vehicle permitted on the site (condition 17), i.e. predominantly the use of cars and vans which smaller units would support.

Previous permissions required that the site be accessed solely via the northern access, with the southern access closed off using a lockable gate to mitigate road safety and neighbourhood amenity concerns. In the current application, there is an indication in the proposed plans that the existing gate within the southern access is being retained but there is no confirmation in supporting statement that this requirement will be upheld. In fact, the plans show tall shrubs positioned at the southern access, which would severely restrict sightlines for oncoming traffic. THS would expect that the southern access be closed with a lockable gate, in line with Condition 7 of FULL/2025/0995, to address road safety and traffic management concerns.

THS previously suggested widening the northern access or incorporating a bellmouth to improve egress, in particular the swept path of vehicles in relation to the adjacent cycle path. These options were deemed unfeasible due to shared ownership of the wall to the south-east. However, during a recent site visit, THS observed that the wall has been damaged by a vehicle. This presents a potential opportunity for the applicant to negotiate with the co-owner to incorporate access improvements as part of the remedial works.

The supporting statement from Collas Crill requests an extension of operating hours from 08:00–18:00 (Monday to Friday) to 07:00–19:00 (Monday to Friday). THS does not

oppose this request, as the proposed increase is modest and would be expected to have minimal impact on traffic management in and around the site.

In conclusion, THS would support this application providing the conditions previously noted in FULL/2017/0995 are met.

The Office for Environmental Health and Pollution Regulation commented on the plans as initially submitted as follows:

I have reviewed the proposed plans to demolish existing buildings, erect three blocks forming 20 storage and distribution units (Use Class 22) and install hardstanding with associated works. I have concerns about the potential impact that noise from the completed development may have on nearby residential properties.

I note that planning permission was previously granted for a similar use of the site (16 storage units and two open yards), and that conditions were attached to that consent to control activity and restrict the site's operating hours. I further note that the applicant has requested that the previously approved hours be relaxed. However, I do not consider this to be reasonable, given the likely similar intensity of use and associated vehicle movements.

To protect resident amenity, I recommend that the following condition is attached to any permission granted for the site:

- No vehicular movements to or from the site, or any working on, delivery, removal or movement of goods, equipment or materials stored on the site, shall be carried out other than between 08:00 and 18:00 hours on Mondays to Fridays, and 08:00 and 13:30 hours on Saturdays, and there shall be no use of the site at any time on Sundays, Bank or Public Holidays.

I also note that the submitted Waste Management Plan refers to the crushing of blockwork, concrete and stone during the demolition phase of the development. Although I do not wish to raise an objection to crushing on site, I would like to highlight that it is a legal requirement for any mobile crushing activity to be covered by a valid Air Pollution Licence. Such licences are issued by this office, and as part of the licence conditions, this office must be notified prior to any crushing activity taking place. I would ask that the applicant is made aware of this requirement.

These Services were not re-consulted in respect of the revised submissions.

Summary of Issues:

Authorised use of the site;

Whether the change of use of land meet policy requirements;

Whether the scale and form of development respects the character of the surrounding area;

Impact on the amenities of surrounding uses;

Impacts on highway safety

Landscaping and biodiversity provision

Sustainable development.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

Authorised use of the site

The permission granted under FULL/2017/0995 allowed for the change of use of horticultural buildings, a glasshouse and land to the southeast of the site to form 16 storage units and 2 open yards. As part of that permission 4no glasshouses (G1 in the north-west corner of the site, G2 in the north-east corner, G4 within the proposed storage area, and G5 in the south-west corner of the site) were to be demolished. This permission has been implemented, and the 4 cited glasshouses have been demolished and removed from the site, together with the associated ground works and required areas of hardstanding. Buildings B5 & B6 have been relocated in accordance with the approved plans and permission has been given for the retention of B4 in situ for a further year.

The landscaping scheme approved under the previous permission has been implemented, including the planting shown on the plans submitted as part of this application along the north side of the access road, between the access road and Avondale, to the east of the former glasshouse known as G1, to the west of the storage area, and along the roadside.

In light of the above, whilst there is no evidence that the site is being actively used for its authorised purpose, the approved scheme has been implemented in accordance with the approved plans and conditions and the use of the south-east part of the site for storage uses is established. It is however noted that, due to the nature of the surrounding road network and the proximity of residential properties, that use is strictly controlled by planning condition, in particular:

- The units can only be used by approved operators;
- That there be no amalgamation of units;
- That there be no industrial activity at the site;
- That there shall be no outside storage, beyond that approved within the open yards;
- That the height of any storage within the open yards is limited;
- The maximum size of vehicle permitted on site has a maximum wheel base of 3.35m and a maximum gross vehicle weight of 3500kg;
- Parking be only in association with the approved businesses and in the designated parking spaces;
- Hours of operation be limited to between 0800 hours and 1800 hours Mondays to Fridays, and 0800 hours and 1330 hours on Saturdays.

The principle of development

The current application proposes the redevelopment of the established storage area, and a modest extension of that storage area on to the agricultural land to the north.

Policy OC5(B) allows for the change of use of agricultural land, where the proposal accords with all other relevant Island Development Plan policies and, in particular, meets the terms of Policies GP1 and GP15. In this case, the proposed change of use is for a limited area relative to the retained area of agricultural land, well related to the existing authorised storage area and set away from public views. The proposed change of use would not therefore project significantly into the adjacent open land and would not impact significantly on landscape character or visual amenity. The area is not located within an Agriculture Priority Area however, given the scale of the change of use, would not prejudice the use of the remainder of the land for agricultural purposes, and is not located within an Area of Biodiversity Importance, nor would the proposal result in the removal of established or required boundary treatments. In terms of the Strategy for Nature, the proposal includes additional planting along the south and east boundaries of the storage area, which would contribute towards biodiversity enhancements and a strip of green is shown along the northern side of the proposed area for change of use. It is not however clear what the strip of green represents and, were the application to be approved, an earthbank or planting would be sought along this boundary to contain and demark the approved storage area, in addition to enhancing the biodiversity enhancements required to address the Strategy for Nature. Subject to additional information relative to the landscaping and biodiversity provision and conditions clearly delineating the proposed storage and retained agricultural areas, the change of use would meet the terms of Policies OC5(B), GP1 and GP15.

Policy OC3 states that proposals to extend, alter or redevelop existing industrial and storage and distribution premises will be supported, where the following is demonstrated:

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;

This criterion reflects the requirements of Policy GP8a), c) and d) and GP9b).

Whether the development respects the character of the surrounding area

The authorised storage area is surrounded by open land within the site area, and on adjacent properties to the north, south and south-east. Beyond that open land, and fronting on to the surrounding roads, development is predominantly residential in scale and character, with the exception of the glasshouse site abutting the application site to the east. Glasshouses are however regarded under planning law as temporary structures, and available information suggests that these particular glasshouses are c4.5m to the ridge and c3.2m to the eaves. Further from the application site, and out of direct line of sight, there are two larger commercial premises, A J Troalics & Sons

located to the north-east and the playbarns at Oatlands Village to the west of the site. The former however comprises a long standing use of the site operating from within clad glasshouse structures, and is not comparable to the structures now proposed at the application site. The latter buildings are of substantial scale, however those buildings have been carefully designed to break up the overall mass and are well related to existing built form.

In considering the previous application for storage use at the site, in respect of impacts on the character of the area, the planning report noted: *“The proposals for the site would consolidate the built form and associated external storage in the south-east corner of the site, set c80m back from Oatlands Lane, minimising the visual impact in views from that road. The retained structures would be generally of low profile form and, with the installation of a high acoustic fence along the west boundary of the area, would be largely screened in views from the lane”*.

As part of the implementation of that permission, an earthbank has been created and planting undertaken along the western edge of the storage area, and further hedge planting has been undertaken along the roadside (west) site boundary. The planting has not however become fully established as yet, and the existing buildings are still visible in views from Oatlands Lane to the west, together with ongoing views from the junction of Oatlands Lane and Les Sauvagees to the south-west and from the parking area for Beaulieu Crescent to the east.

The current proposal would retain the built form within the south-east corner of the site, set away from surrounding roads and public view points, and would consolidate the existing units within a simplified and more efficient layout. As initially proposed however the application would have resulted in a notable increase in both the height and overall bulk of the buildings, which would have been out of scale with the surrounding built form and would have increased the prominence of the buildings in the views identified above.

Following deferral the height of the buildings has been reduced to align with the height of the tallest of the existing structures on the site. The eaves height of the building has not however been significantly altered, resulting in essentially flat roofed structures of 5m in height. Furthermore the repositioning of the buildings into bays, and the use of continuous ridges and building finishes, would increase the bulk of the buildings when perceived from the surrounding highways, and introduce a built form out of character with the surroundings.

Whilst it is appreciated that the vegetation planted to date is not yet fully established, and that further planting is to be undertaken along the south and east boundaries as part of the application, it is unlikely that such planting will entirely screen buildings of the height and bulk proposed and should not be relied on in perpetuity.

In conclusion, the development is not of a scale and form that respects the character of the surrounding area, and the proposal does not meet the requirements of Policy OC3i) or GP8c), nor could it be considered to achieve a good standard of architectural design, as required under Policy GP8 a).

Impact on the amenities of surrounding uses

Along the west boundary, the application site abuts residential property to the north (Southview) and south (Arroutresse and Sur La Plage) and wraps around a further property (Avondale), with additional properties located on the opposite side of Oatlands Lane. Further residential properties are located across the agricultural land c35m to the south and c60m to the east. To the north the site abuts further agricultural land, with residential property in that direction located over 75m distant.

The storage area itself is set away from those residential properties. The current proposal would retain the units as small scale, and would omit any external storage or yards, placing all units within better insulated structures. In addition, supplementing the planting already undertaken to the west of the storage area, the proposed redevelopment would enable the access road which runs along the south boundary of the site to be given over to provide a robust landscape buffer between the storage area and the residential properties across the fields to the south and east and which, subject to a detailed planting scheme, would provide additional attenuation to the properties in those directions. Overall, the proposed physical development would represent a reduction in potential impacts arising from the area.

Additional traffic movements associated with the development have been raised as a potential impact on the amenities of surrounding residential property. As set out within the Traffic and Highway Services consult response above, the likely traffic generated would remain within the scope of that previously approved and would not be likely to give rise to significant additional disturbance on neighbouring property.

Under the previous application, it was found necessary to condition the specific users of the site, to ensure the users met the policy requirements for new storage and to control the impacts arising from the site, specifically relating to traffic and potential noise impacts. In light of the above, namely that there would be no outside activities and the users would operate from within modern buildings, constructed to ensure noise attenuation, it is no longer considered necessary to specify the end users of the site, beyond a limitation that such users could operate on a storage and distribution basis only, with no industrial activity at the site.

To further control any potential impacts, it would also be recommended that the following conditions be attached to the decision:

- No amalgamation of units: To prevent use of the site by large scale operators, both in the interests of amenity and in accordance with Island Development Plan policy, which directs larger operators to sites within the Main Centres;
- No external storage of any form, including the storage of vehicles;
- Details and implementation of planting;
- Limitation on vehicle size using the site.

Under the previous permission, activities at the site were limited to between 0800 hours and 1800 hours Mondays to Fridays and 0800 hours to 1330 hours on Saturdays, with

no working on Sundays or Public Holidays, and no industrial activities were permitted. The application does not propose to introduce industrial activities, and this condition can be reapplied to any permission issued under this decision. The application does however seek to extend the operating hours to 0700-1900 Monday to Friday, and to allow for the collection of pre-loaded/unloaded vehicles outside of those hours, citing the hours approved at the open yards at Extension Vineries (ref FULL/2016/2864). Whilst the permissions for Extension Vineries have been reviewed, taking into account the close proximities to high density residential properties in this location, together with the nature of the surrounding road network, the Office for Environmental Health and Pollution Regulation raise objections to any potential extension of operating hours, citing concerns regarding potential impacts on neighbour amenity. An extension of operating hours would therefore be contrary to Policy OC3i), GP8d) and GP9 b).

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

This criterion reflects the requirements of Policy IP9.

As set out above, the authorised use of the site is for 16 storage units and 2 open yards, each with 2 allocated parking spaces. The current proposal is for 20 units, although with a similar building footprint to the authorised uses, and omitting the open yards. The plans indicate external parking provision of 2 spaces per unit, adjacent to each unit, and the site layout would tend to preclude additional parking in these locations. An additional parking area is however proposed to the west of the site (30m x 10m), which could provide c24 additional spaces.

Potential impacts on highway safety are assessed in detail in the Traffic & Highway Services response above. That Service conclude that the scope of the development remains consistent with that previously approved and supports the application, subject to reiteration of the conditions attached to the previous decision relating to highway safety, in particular limitation of vehicle size and use of the southern access.

In respect of vehicle size, the amended plans confirm that vehicle size will not exceed that previously stipulated and this condition can be reapplied in this case.

In respect of the southern access, the lockable gate required under the previous application has been installed, limiting use of that access for maintenance purposes only. Subsequent to that permission, hedge planting has been undertaken along the roadside boundary, impeding sightlines from the access. In light of this the southern access remains unsuitable for significant vehicle movements and it is recommended that any permission issued under this application is also conditioned to ensure retention of the gate and limit the use of the access.

In addition to the above, THS reiterated comments made under the previous application regarding potential benefits through forming a bellmouth to the southern side of the main access. This had not previously been achievable however, following deferral, this has been included on the plans and can be required by condition.

Notwithstanding the above, the proposed use of the additional parking area is not entirely clear and it is recommended that use of this area is controlled by planning condition, to ensure it is used for overspill parking only, on a short term basis, and not for any form of long term storage, of vehicles or any other items.

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

This criterion reflects the requirements of Policy GP8b) and c).

As set out above, the proposed site layout is similar to that previously approved, whilst maximising the usable space and providing a more functional road layout. The visual and amenity impacts have been addressed above.

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.

This criterion reflects the requirements of Policy GP8e). As the proposal includes a change of use, as set out above, the Strategy for Nature would also be relevant.

Substantial planting was undertaken on site as part of the requirements of the previous permission, including screen planting to the west of the storage area. The current application proposes additional planting along the south and east boundaries of the site, providing valuable screening both to long views from those directions and nearby residential property, and providing some amelioration to the proposed built form, and indicates potential additional bank/planting along the northern side of the storage area. The proposed species are appropriate to the area and context and the planting is proportionate to the area of the change of use proposed.

Full details of this planting, including any ground treatment required (the south planting being located on an existing access track), and implementation can be required by condition.

Sustainable development

The proposed units are stated to be a standardised simple portal frame construction, enabling efficiency of construction and minimising waste, whilst incorporating insulation to ensure energy efficient operation. The form is also stated to be suitable for incorporation of solar panels, although no panels are proposed at this time.

Due to the scale of development, a Site Waste Management Plan is required to support the application. Implementation of the submitted SWMP can be controlled by condition. It should be noted that any crushing proposed on site would need to be subject to a separate licence from the Office for Environmental Health and Pollution Regulation.

Other matters

The site notice as initially displayed was not legible from a place to which the public had access. The notice was however displayed for a further 21 days in accordance with Part 111, Section 10 (4) of the Land Planning and Development (General Provisions) Ordinance 2007. It is noted that the description of development as advertised did not include the change of use of land or operating hours however, given the recommendation for refusal, it is not considered necessary to re-advertise the application.

There is no planning restriction on the transfer of the land numbered as “3” on the submitted plans to the property known as Avondale. It should however be noted that this land is classified as agricultural and any domestic use of that land would require a separate application for change of use.

In respect of land contamination, a condition was attached to the previous decision requiring a land contamination assessment. That condition has been fully discharged, and the assessment and proposed remediation measures undertaken to achieve that discharge included the areas which form the subject of this application. There is therefore no requirement to attach a land contamination condition to any permission issued under this application.

This assessment is undertaken on the basis of 20 units. For the avoidance of doubt, the decision should be conditioned to ensure that the toilet and canteen blocks are retained as such, and are not used to form separate storage units, which may increase intensity of use at the site and would require further assessment.

As noted above, permission has been given for the retention of the building known as B4 in its existing position until November 2026. If a permission was in place and works commenced on implementation prior to November 2026, the structure could be retained in accordance with the provisos of Class 5(2) of the Land Planning and Development (Exemptions) Ordinance, as amended, without the need for further planning permission. If no permission is in place and works have not commenced by that date the structure would have to be removed.

Conclusion

Policy OC3 (Offices, Industry and Storage and Distribution Outside of the Centres) provides a policy gateway to consider the redevelopment of an existing storage and distribution site, provided that the application successfully addresses four key criteria, in addition to other relevant and infrastructure policies, and the material considerations of the Law.

In this case, whilst considered to comply with the remaining parts of Policies OC3 and GP8 (Design) and the other relevant planning policies, the scale and form of the proposed development does not respect the character of the surrounding area and the proposal would not therefore comply with Policy OC3i) or GP8a) or c).

In addition to the above, the extension of the authorised operating hours at the site would be likely to have an adverse effect and detract from the amenities of existing surrounding uses, and the proposal would not therefore comply with Policy OC3i), GP8d) or GP9 b) (Sustainable Development).

Consequently it is recommended that the application be refused.

Date: 27/03/2026

