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 warehouse, erect replacement warehouse to north-east of site.

LOCATION: Bougourd & Harry, Vale Avenue, Vale.

APPLICANT: Lotus 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: 09/10/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 31/07/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tailored Planning Solutions: LP:26:17 02B, 03B & 04B

Application Ref: FULL/2026/1251

Property Ref: C007060000

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.The solar panels hereby approved shall be installed and implemented prior to the replacement warehouse/outbuilding, however named, being brought into first use.

Reason - To ensure that the design of the development takes into account the use of energy and resources in accordance with Policy GP9.

Expiry Date: This permission will cease to have effect on 08/10/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-
To avoid any ambiguity, this decision permits the proposed warehouse/outbuilding, however named, to be used for storage and distribution purposes only, unless in accordance with a use permitted under the Land Planning and Development (Exemptions) Ordinance, 2023 or any other Ordinance replacing or re-enacting that Ordinance.

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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2026/1251
Property Ref:	C007060000
Valid date:	31/07/2026
Location:	Bougourd & Harry Vale Avenue Vale Guernsey GY3 5TF
Proposal:	Demolish existing warehouse, erect replacement warehouse to north-east of site.
Applicant:	Lotus Property Limited

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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. The solar panels hereby approved shall be installed and implemented prior to the replacement warehouse/outbuilding, however named, being brought into first use.

Reason - To ensure that the design of the development takes into account the use of energy and resources in accordance with Policy GP9.

INFORMATIVES

To avoid any ambiguity, this decision permits the proposed warehouse/outbuilding, however named, to be used for storage and distribution purposes only, unless in accordance with a use permitted under the Land Planning and Development (Exemptions) Ordinance, 2023 or any other Ordinance replacing or re-enacting that Ordinance.

OFFICER'S REPORT

Brief Description of the site:

Notwithstanding the site shown on the site and block plans submitted, the 'Bougourd and Harry' site comprises an open storage yard to the south which houses specialised gas cylinders, a workshop to the east of the site consisting of Pitstop Tyres, and a couple of large warehouses to the north, with a retail unit at ground floor level to the west, fronting onto Value Avenue, with ancillary office provision at first floor level.

The eastern half of the site is located within a Key Industrial Area and Main Centre Outer Area, while the western side of the site is located outside of the Key Industrial Area and Main Centre Inner Area as designated in the Island Development Plan.

The site appears to consist of a mix of retail and general industry following a recent Property Search.

Planning permission is sought to demolish an existing single storey warehouse and erect replacement warehouse to the north of site. The replacement steel framed warehouse will be approximately 10m x 8m in terms of footprint, single storey in scale, and will incorporate a shallower pitch than the existing structure. The roof of the replacement warehouse will be on a north-to-south axis, when compared to the existing east-to-west axis.

The agent notes that the proposal seeks to use the replacement building for storage and distribution of pools, spas and associated equipment, within Use Class 22, General Storage and Distribution of the Land Planning and Development (Use Classes) Ordinance, 2017.

The application was deferred to include solar panel provision in light of the Authority's position to incorporate solar panels as part of new commercial buildings

as part of Policy GP9 (Sustainable Development). The agent has included 5 solar panels on the west facing roof slope, in attempt to address this requirement. The agent has also clarified that the warehouse will be used in connection with Lotus Pools' occupation of the Bougourd and Harry premises and that it will not operate as an independent storage/distribution planning unit, as set out in the agent's letter of 30th September.

Relevant History:

Reference No	Description	Decision	Date
FULL/2026/1263	Demolish existing extensions and outbuildings to east (rear) elevation and alteration to shop front to north elevation.	Pending	2026
FULL/2022/2229	Erect canopy over existing cylinder store and infill existing gates to south of site.	Granted	2023
FULL/2011/0983	Form new door on south elevation	Granted	2011
FULL/2009/1354	Replace shop windows	Granted	2009
PAPP/2001/2915	Replace roof covering and rooflights.	Granted	2001

Existing Use(s):

General Retail.
General Industry.

Assessment: *(Tick as appropriate)*

no representation	✓	visual amenity acceptable	✓
accords with policy	✓	no material neighbour impact	✓
within curtilage	✓	traffic not affected	✓
design acceptable	✓		

Policies considered most relevant:

MC5B: Industry, Storage and Distribution Uses in Main Centres and Main Centre Outer Areas – outside of the Key Industrial Areas and Key Industrial Expansion Areas.
GP8 Design
GP9 Sustainable Development

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.

The Land Planning and Development (Exemptions) Ordinance, 2023, enables the change of use between general industrial purposes (use class 25, general industry) to general storage or distribution purpose (use class 22, general storage or distribution), without planning permission as it constitutes exempt development.

Policy MC5(B) states that proposals to redevelop, alter or extend existing industrial or storage and distribution uses will be supported where they would not have an unacceptable adverse impact on the amenities of the surrounding uses.

The existing warehouse is in poor condition and therefore its replacement is acceptable, in principle. The replacement warehouse is of an appropriate scale, form, siting and materials and will be positioned in a similar position, and on a similar footprint, to the existing structure.

Despite the increase in its overall scale and mass, the proposal will have a negligible effect on the character and appearance of the surrounding area and will be 'read' against other industrial buildings and structures in the surrounding area.

In terms of its impact on neighbour amenity, any additional overshadowing and overbearing effect would not be so substantial to justify refusal when taking into account the existing structure and the amenities of neighbouring residents to the north of the structure.

In light of the amendments secured, it is recommended that a condition be attached to the decision to ensure that the proposed solar panels are implemented prior to its first use to ensure that the design of the development takes into account the use of energy and resources in accordance with Policy GP9.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:
Grant with Conditions ☑

Date: 08/10/26