

STATES OF JERSEY
PLANNING AND BUILDING (JERSEY) LAW 2002 (as amended)
APPEAL OF A DECISION UNDER ARTICLE 108
REPORT TO THE MINISTER FOR PLANNING AND ENVIRONMENT
by Mr Philip Staddon BSc, Dip, MBA, MRTPI
an Inspector appointed under Article 107

APPEAL BY: Mr and Mrs Haas (third party appellants)

AGAINST: Grant of planning permission for a proposal to "Repair walls and roof. Construct first floor office." Decision dated 19 February 2016

LOCATION: Seaton Garage, La Ruelle de la Carriere, St. John, JE3 4DF

REFERENCE: P/2015/1684

APPEAL PROCEDURE: Hearing – 6 July 2016

SITE VISIT: 6 July 2016

DATE: 10 August 2016

Introduction

1. This report contains my assessment of the 'third party' appeal made by Mr and Mrs Haas of Magnolia Farm, St John against the decision of the Department of the Environment to grant planning permission for a proposal at Seaton Garage. The proposal under application P/2015/1684 would rebuild the garage premises following damage caused by a fire, to enable the business to re-commence operations. The Appellants oppose the development, which is adjacent to their home.
2. I visited the site accompanied by the parties on the morning of 6 July 2016 and held a Hearing thereafter on the same day. The principal participants at the Hearing included the Appellants' advocate, the Department's officers, the Applicants and their architect and Planning consultant.

The appeal site and the Planning history of Seaton Garage

3. Seaton Garage is a longstanding vehicle repair and servicing business, which occupies a rural (Green Zone) location on the north side of Ruelle de la Carrière (a Green Lane) in St John. It is accepted by the Department that the garage use predates the introduction of Planning law in Jersey (in 1964) and that it is the established and lawful use of the site.
4. Prior to the fire in January 2015, the garage building occupied most of the site. The building appears to have comprised a central rectangular portal frame structure, with masonry piers supporting an asbestos sheet roof structure above, along with single storey additions to the south (front) and east (side).
5. Internally, the building accommodated a vehicle workshop (with four vehicle hoists), a vehicle preparation area, a paint spray area and spray oven and various stores. There was also a smaller part first floor area, accessible by a staircase from the workshop, which included storerooms and two small offices.
6. There was no on-site parking outside the building. However, the south-western corner of the building was inset, giving vehicular access via two separate doors, one to the workshop and the other to the vehicle 'prep' area.
7. To the east and north, the garage is screened by a very tall boundary hedge. The Appellants' house is situated to the north, behind the tall hedge (and about 40 metres from the hedge to its rear elevation). Immediately adjacent to the garage, on its west side, is a private drive. There are some dwellings further to the north-west and south-west, although directly opposite the garage (to the south) is open land. There is also a screen hedge in front of part of the building (facing the road).

8. Although the establishment of the use itself predates the Island's Planning system, there have been a number of Planning applications over the years. In 1996, a retrospective application for the paint spray bake oven and extraction plant was refused. However, this decision was later withdrawn, following legal advice that the works were *de minimus* and did not fall under Planning control.
9. In 2001, planning permission was granted (PB/2001/0758) for an '*extension to shed to form covered area for cars*'. Six conditions were attached to this permission and these included a restriction on the garage opening hours (8.00 am – 6.00 pm Mondays to Saturdays) and a ban on external storage (including vehicles).
10. In 2002, permission was granted for a scheme bearing the description '*revised plans; comprising single pitched roof, recess to accommodate compressor & store and relocation of fire escape door*'. This permission included 8 conditions, one of which required the garage to be operated in accordance with the comments of Environmental Officer as set out in a letter of 28 January 2002. This letter included a series of technical requirements concerning equipment and operations.

The fire and the application proposal

11. In January 2015, the garage suffered a major fire. The single storey element at the front of the site survived, as did the perimeter walls and masonry piers of the main building structure. I was advised that elements of the roof structure were also intact following the fire, but were subsequently removed for health and safety reasons.
12. Since the fire, the business has been operating out of premises at Simon Place in St Helier.
13. An application to reinstate / rebuild the premises was validated in November 2015 (P/2015/1684). The description stated on the application form read '*proposed re-instatement of fire damaged area of garage, reposition offices internally to comply with current bye laws*'. However, this was simplified to "*Repair walls and roof. Construct first floor office*", which is the description that appears on the decision notice.
14. The scale, profile and proportions of the reinstated buildings would be very similar to the former building. However, there would be a number of differences, externally and internally.
15. Externally, the upper parts of the building would be clad with profiled metal sheeting (light grey in colour), in place of the previous asbestos sheeting. A similar treatment is proposed for the roof structure, although on the south facing roof plane there would be an array of eight translucent panels, allowing daylight to the workshop below.

16. The building would have fewer windows, as cladding would replace the run of seven window openings on the rear (north) of the building. There would be four small windows on the west elevation and a customer entrance door. Two of these windows would serve the lobby / reception on the ground floor and the other two would serve the offices above.
17. Internally, most of the ground floor space would comprise one large workshop. There is something of a conflict between two ground floor plans, both of which are listed as approved on the decision notice. One shows five vehicle hoists, the other shows four, with an area of vehicle parking (I discuss this discrepancy later). It is not proposed to re-instate the spray booth and spray oven and the re-instated building would be used for a business refocused on vehicle servicing, repairs and windscreen replacements.
18. The Planning application proved to be locally controversial. There were 18 letters of objection. Whilst the grounds of objection were wide ranging, the main issue related to concerns about past problems of traffic congestion and overspill and that these would recur if the proposal went ahead. Other objections related to pollution, inadequacy of utilities and services, failure to adhere to past planning conditions and that the business was not appropriate for the site. There were also 4 letters of support.
19. The Planning Applications Committee approved the application at its 18th February 2016 meeting. Five conditions were imposed. These included requirements that the external forecourt be kept clear, that materials be submitted for approval and that potential ground contamination be assessed and, if required, dealt with. This third party appeal is made against that decision to grant planning permission.

The grounds of appeal - summary

20. The Appellants' submissions in support of its case are comprehensive and detailed. However, there are three principal grounds of appeal cited, although they are somewhat overlapping and interconnected. These are:

Ground 1 – that the proposal does not comply with Policies NE7 and GD1

Ground 2 – that there is not 'sufficient justification' to grant permission for a proposal considered inconsistent with the Island Plan

Ground 3 – that the decision:

- a) Failed to give proper consideration to amenity impacts
- b) Did not properly consider the failure to comply with planning conditions on the site
- c) Failed to recognise that the business has outgrown the site
- d) Gave undue weight to assurances given by the Applicant

21. Both the Department and the Applicant rebut these grounds. I explore the competing arguments and detailed matters more fully later in this report.

The Island Plan 2011 (Revised 2014) – key policy considerations

22. In my view, there are two key policies in this case and a range of other policies that have some relevance. The key policies are Policy NE 7 and Policy GD 1.
23. Policy NE 7 sets out a high level of protection from development in the Green Zone. It states that there will be a general policy presumption 'against all forms of development'. It specifies a number of development types that will not be permitted. It also sets out a range of specified exceptions that may be permitted. Exceptions 5 and 7 relate to employment uses and both are identified in the parties' submissions. The wording of these exceptions is set out below:

Exception 5 - the extension and/or intensification of use of existing employment buildings and land, but only where, having regard to the planning history of the site;

- a. the requirement for a coastal or countryside location can be adequately justified;*
- b. an extension, well related to the existing building in design and scale;*
- c. an intensification does not create undue noise, disturbance or a significant increase in travel and trip generation; and*
- d. it does not cause serious harm to landscape character.*

Exception 7 - the redevelopment of an employment building(s), involving demolition and replacement for the same use, but only where;

- a. an intensification does not create undue noise, disturbance or a significant increase in travel and trip generation; and*
- b. it gives rise to demonstrable environmental gains, contributing to the repair and restoration of landscape character.*

24. Policy GD 1 sets out 'general development considerations' against which all planning applications are assessed. It is a comprehensive policy with a very wide remit, but there are six assessment themes (most of which have more detailed sub-criteria). These themes cover sustainability; environmental impact and protection; impact on the amenities of neighbouring uses and occupiers; economic impact; transport and design quality.
25. Policies SP 1, SP 2, SP 3 and SP 6 are of some background relevance. These set out the spatial strategy of seeking to concentrate new development in

the defined built-up area, make the best and most efficient use of land and directing development to the most sustainable locations and reducing car dependence.

26. Policy SP 5 is also relevant – it supports economic growth and gives a high priority to supporting existing and new businesses.
27. Policies SP 7 and GD 7 require developments to achieve a high quality of design. GD 7 includes a detailed set of design criteria against which schemes will be assessed.

Discussion and assessment

General

28. This is an unusual proposal. It arises from an exceptional event, in terms of the January 2015 fire that damaged the building and forced the business at the site to cease, after over half a century of use.
29. The Planning application to reinstate the building, and thereby allow the use to resume, has proved to be the focus of different views. Some see it as a straightforward matter of allowing the building to be repaired and the business (and associated employment) to resume providing its services to its customers.
30. However, a greater number of representors, including the Appellants, object to the re-instatement, citing years of parking and traffic difficulties in the surrounding narrow lanes, along with other matters. They oppose the reinstatement of the building and business. Some have made plain that, in their view, the business should move permanently and fully to St Helier and not remain on this Green Zone site, which they consider unsuitable.
31. This case does raise some quite complex issues concerning the definition of the development proposal, the application of various policies and, indeed, the role of the Planning system itself. I identify and explore the main issues below.

Defining the development description

32. The application is defined on the decision notice by the description “Repair walls and roof. Construct first floor office.” This is the source of some dispute in this case.
33. The Appellants challenge the definition of the application and contend that *‘the application effectively relates to a new building’* and *‘aims to build a new garage, albeit on the same footprint which previously pertained.’*¹ This becomes quite pivotal to much of the Appellants’ case, as it is argued that,

¹ Extracts from paragraphs 33 and 40 of the Appellants’ statement of 12 April 2016

as a 'new garage', a much fuller and indeed more fundamental assessment of locational (Green Zone) and amenity considerations should have occurred, and that these should have led to a refusal (and that this appeal should succeed).

34. In my view, I am not convinced that either approach is entirely correct. I do not accept the Appellants' contention that a 'new garage' is proposed. It is not. Many of the substantive structural elements of the building will remain following the fire and the building will be of the same size, height and profile.
35. However, I do think that the description employed by the Department is too simplistic and fails to capture the scope and detail of the proposal. It is certainly not accurate to describe the roof works as a 'repair' when there is no roof structure left to repair. Furthermore, the description does not capture the building alterations that are also proposed (internally and externally), which include the removal of walls (including the masonry of the south wall) to create a more open workshop and internal parking areas.
36. I consider that a fuller and better description of the proposal would be:

Proposed repairs and alterations to reinstate fire damaged vehicle repair / servicing garage. External works to include repairs, alterations and cladding of walls, new windows and customer entrance (on west elevation), new roller shutter and bi-fold vehicular access doors and erection of new roof structure faced with profiled steel panels with translucent inserts. Internal works to include removal of walls and alterations to create open workshop area with vehicle hoists; vehicle parking; storage areas; creation of lobby, reception and WCs with office over at first floor level.
37. In my view, it is important in a case like this to define with precision what development is being proposed, to ensure that the effects and implications (in policy, amenity and traffic terms) are then properly assessed.
38. In summary, I do not agree that a 'new garage' is proposed. There is no requirement for the description to seek permission for the recommencement of the underlying use. That use of the site and the fire-damaged building (for vehicle repairs) is established and lawful; it has not disappeared into the ether with the smoke of the fire. It remains a weighty material and legal consideration.
39. However, the proposal does involve more extensive alterations and remodelling of the building than is currently conveyed by the Department's description. I recommend that the description set out above (in bold) be substituted for clarity and precision. It is this description and scope of development that I have employed in my policy assessment below.

Assessment against Policy NE 7

40. The accurate definition of the development description is fundamental to the NE 7 policy assessment. Were this application proposal to be for a 'new garage' on a virgin Green Zone site, it would stand no prospect of securing permission. Policy NE 7's high level of protection and presumption against such development would preclude such a proposal.
41. Indeed, by modern standards, the Seaton Garage site is an unlikely location for a repair garage, situated in an out of the way Green Zone location, accessible only by narrow Green Lanes. It is also an unlikely site layout and build coverage, lacking a single external car parking space. By contrast, modern day garages tend to gravitate (by a combination of Planning controls and customer expectation) to more accessible and visible locations and they usually have some customer car parking.
42. However, it must be noted that Planning still remains a relatively new discipline and that many of Jersey's buildings and land uses predate it. That inevitably means that there are many uses and buildings that do not neatly 'fit' with the present day Island Plan policies – Seaton Garage is such an example.
43. Despite the poor fit with modern day Planning policies, the Planning history and lawful use of the site / buildings are very weighty material considerations. Whilst I have reached the view that the development proposed is somewhat more complex and wide ranging than conveyed in the simple description (used in the Decision Notice), the starting point here is the fact that the fire damaged building / site comprises a lawful employment site in the Green Zone. The repairs and alterations proposed are essentially those of reinstatement of the building, to enable the (lawful) employment use to resume. Nonetheless, they do comprise development and do fall under the NE 7 policy regime and must be assessed accordingly.
44. Policy NE 7 exception 7 allows for the redevelopment, through demolition and replacement, of an existing employment building in the Green Zone subject to two criteria, both of which must be satisfied.
45. Before assessing the scheme against the two criteria, it is important to note that the proposal does not strictly fit within the development type described in NE 7 (7), as it is not a 'demolition and replacement' proposal. Indeed, given the retention and use of parts of the remaining building fabric, it could perhaps only be framed as a partial or lesser version of the exception 7 type of 'redevelopment'. Notwithstanding that lack of precise fit, I do share the Department's approach, that an assessment against the Policy exception is helpful. Accordingly, I turn now to the exception 7 criteria.

46. The first criteria relates to any intensification (of the business use) and requires that it (i.e. any intensification) does not result in any undue amenity or traffic effects. The Appellants argue that the Department should have more fully assessed 'intensification'.
47. However, I cannot see how the proposal could be seen as 'intensification'. There are a number of factors that lead me to that view. First, there is no increase in floorspace and, in fact, there would be a slight reduction (-14% is quoted) in the internal floorspace, as the first floor area would be less extensive. Second, some of the less neighbourly elements of the use, i.e. the spray painting and oven, will be removed. Third, a large part of the building will now be kept open for parking (a matter I deal with more fully later). Fourth, the Applicant informed me that the revised business would be about 50% of that which previously existed and employment at the site would be reduced accordingly, from 8 (previously) to 4 (post re-instatement).
48. There is no evidence to suggest any intensification of use and, indeed, much to suggest a reduced level of business activity. Criterion a) is satisfied.
49. The second criterion requires '*demonstrable environmental gains, contributing to the repair and restoration of landscape character*'. The scheme will deliver some environmental benefits over the previous building (e.g. better noise, fumes and ventilation performance), but there will be no landscape repair and restoration. This is simply not achievable as there is no land to repair or restore within the application site. Criterion b) is not satisfied.
50. On this particular point, a similar criterion applies to replacement dwellings in the Green Zone (NE 7 exception 3) and to replacement houses and employment buildings in the Coastal National Park (NE 6 exceptions 2 and 4). However, in the case of a fire catastrophe, it is highly unlikely that this second criterion could ever be met. If a house or business is devastated by fire, a 'like for like' replacement proposal (typically funded through an insurance claim) is unlikely to be able to conjure up an element of '*demonstrable environmental gains*' through landscape repair or restoration. It will simply restore the building and site to the pre-fire condition (or something very close to it).
51. This is not an inherent fault with the policy, just a product of the fact that it was drafted to control new development proposals, rather than post fire re-instatement developments (which, by their very nature, are quite exceptional).
52. Policy NE 7 does not include any provisions that deal with fire damage scenarios. This is not the first case where this policy dilemma has been considered and a number of examples of permissions granted post fire re-

instatement schemes were cited in the submitted evidence. One of these included a commercial vehicle garage.

53. In the Seaton Garage case, the Department's report cites 'natural justice' as a factor to be considered and suggests that it would be unreasonable to lose a business (or home) as a result of a fire. The Appellant disagrees and considers the proposal should be considered in the same way as all other planning applications, by reference to its own merits, the Law and Planning policy.
54. Overall, I reach a number of conclusions regarding Policy NE 7. First, it must be recognised that the development regime in the Green Zone is restrictive. Second, the application proposal is undoubtedly 'development' that falls under the restrictive NE 7 policy regime. Third, the development proposed does not neatly fit in to any of the exception classes but the closest is exception 7. Fourth, whilst the proposal does satisfy exception 7 criterion a) (as it will not result in intensification) it cannot satisfy criterion b) (landscape repair) and, as a result, the proposal cannot benefit from this exception. Fifth, it must be recognised that NE 7 was not drafted with fire damage reinstatements in mind.
55. The Appellants also cited NE 7 exception 5, but I do not consider that this applies in this case, as the proposal is not an extension to, or an intensification of, an existing employment building.

Assessment against Policy GD 1

56. GD 1 is a very wide ranging policy. However, the Appellants' principal concerns relate to amenity considerations (item 3 in GD 1) and traffic considerations (item 5). The Appellants consider that the development would unreasonably harm the living conditions of neighbours.
57. The Appellants' case is very much based on the assertion that the re-instatement of the building /business will simultaneously re-instate the problems they say they have experienced over the years. In their words, *"...there will once again be a constant movement of damaged vehicles in and out of the area with concomitant noise levels, polluting emissions, supplier deliveries, collections from the Site and obstructions of the Green Lane due to stopping and parking resulting from inadequate on-Site parking facilities".*² They also state that *'this would effectively return this part of the Green Zone to a semi-industrial zone.'*³ The Appellants further contend that the Department misapplied the Island Plan by not considering the GD 1 requirements in its Committee report.

² Paragraph 21 – Appellants' Statement – 7 December 2015

³ Paragraph 22 – Appellants' Statement – 7 December 2015

58. I do agree with the Appellants' that the Committee report treatment of GD 1 matters is light, but this emanates from its rather narrow description of the development itself.
59. A measured view on traffic and amenity impacts is required. The lawful use of the site, now for over half a century, cannot be simply brushed aside. That established lawful use brought with it associated noises, fumes, traffic and activities and some nearby residents may have moved to the locality in that context. The lawful use has not gone away and any judgement in respect of amenity and traffic effects needs to be benchmarked against that longstanding contextual backcloth and not from a hypothetical position, where the use is assumed to be extinguished or to have never existed.
60. In terms of traffic impacts, it was common ground at the Hearing that there have been longstanding problems at this site and in the nearby lanes. Although there was some dispute about the details and severity, I was left in no doubt that problems did occur and that they occurred on a regular basis.
61. Whilst some of these problems may have arisen from the absence of any parking at the site, it also appears that the way the business was managed, and the nature of its activities, were significant contributory factors. It was explained to me that one major factor was the workflow associated with the body shop, accident repair and spraying activities, which often meant that vehicles were at the site for many days (or even weeks). There seemed to be a number of accounts of vehicles needing to be shifted to and fro, in to and on to the lanes, to create space for other vehicles to be accommodated in the workshop. This inevitably caused problems on the single carriageway Green Lanes.
62. In my view, the current proposals actually represent a potential substantial improvement on past parking and traffic generation issues, for a number of reasons. Firstly, the removal of the spraying / oven activities will eliminate the 'long stay' vehicles that were previously congesting the site and surroundings. Second, the reinstatement works allow for a much more efficient vehicular workflow through the building. Third, a vehicle parking area is proposed within the building itself (4 spaces).
63. With regard to parking within the building, there appears to be a conflict between two ground floor plans, both of which are listed as approved in the Decision Notice. Drawing '3712-8C' does not detail any parking spaces but shows 5 vehicle hoist positions. Drawing '3712-8C Parking' shows 4 hoist positions (in the northern part of the building), with 4 parking spaces and an indicative (circular) vehicular flow route through the building. This latter drawing is the sensible and workable internal layout (the fifth hoist on the first drawing would preclude the 4 space parking area).

64. I underlined the word 'potential' above because there is currently no robust Planning mechanism to ensure that the business will always be operated in the manner described. Indeed, the Appellants consider that too much weight has been given to unenforceable assurances.
65. Planners are often reluctant to impose conditions and controls on the internal arrangements of buildings but, in this case, there are compelling reasons to do so. I consider that it is entirely reasonable to require, by condition, that the building be laid out and operated in accordance with Drawing '3712-8C Parking' and, in particular, that the parking spaces and circulation route are maintained for their intended purposes at all times.
66. Some of the submitted evidence and debate concerned staff parking arrangements. I consider these very much a matter for the business to resolve but, should my parking condition recommendation (above) be endorsed, it will clearly be in the Applicant's commercial interests to find off-site solutions to staff parking (to maximise customer vehicle space at the garage).
67. In terms of other amenity impacts, I do consider that the re-instated building will deliver a demonstrable improvement on historical levels. The reduction in window openings, the use of modern cladding and the proposed building ventilations system will all help to better contain commercial activities and their effects. Perhaps the greatest amenity benefit will arise from the consequent reduction in activity that will flow from the operation of the business in accordance with the approved drawings, which will not include the paint spray / oven operation. I do consider that it would be prudent to preclude, by condition, the re-insertion of any spray booth and oven, in the interest of amenity. I also consider that opening hours should be controlled by condition, again in the interest of amenity.

Overall Conclusions and recommendation

68. Seaton Garage is a very longstanding vehicle repair business which has operated in a rural location for over 50 years. The use predates the Planning system in Jersey and it is recognised as the lawful use of the building / site. Whilst lawful, the use clearly caused difficulties and issues in the locality, most notably concerning vehicle parking on the narrow Green Lanes, along with some other environmental concerns.
69. The fire in January 2015 caused the business to relocate some of its functions to another site. However, the Applicant wishes to re-instate the building and re-establish the business in an evolved form, which would remove some elements of the former business and also take the opportunity to establish a better building layout, which would include some internal parking.

70. I consider that the application proposal is somewhat more complex than the 'repair' (and first floor office) cited in the Department's description. It does involve repair and the creation of a first floor office, but it also involves quite a wide range of alterations and a reconfiguration of the layout (to reflect the Applicant's evolved business plans). The proposals need to be considered in this light, against the key policies and other material considerations.
71. In terms of Green Zone considerations, the re-instatement proposal does not fit neatly in to any of the Green Zone exceptions under Policy NE 7. It is closest to 'exception 7', which does allow for a 'demolish and rebuild' of employment buildings, subject to two criteria (both of which must be met). The proposal meets the first criterion (it will not intensify the use) but cannot meet the second (landscape repair / restoration). The exception does not therefore apply and there is a consequent tension with the policy.
72. However, that tension is not substantial or significant in my view and reflects the fact that the policy was not drafted with the exceptional circumstances of a major fire in mind. In my assessment, the Planning history of the lawful established use is a very weighty consideration and I assess that it would be entirely unreasonable, in Planning terms, to treat the fire event as an act that effectively erased the lawful employment use. Indeed, if it were to do so, there would then be a direct conflict with Policy SP 5, which gives a high priority to supporting existing businesses.
73. I do agree with the Appellants that the Department's assessment of Policy GD 1 considerations could have been fuller. However, my assessment is that the refinements and alterations to the building and its layout (in addition to acts of simple repair) will certainly not worsen amenity and traffic issues and have the potential to improve matters substantially. However, some of these improvements and assurances need to be more properly controlled through robust and enforceable Planning conditions, which I recommend.
74. Overall, in the Planning balance, I conclude that planning permission should be confirmed subject to a revised description and to additional Planning conditions that will control the use of the site and reduce parking and amenity implications. However, whilst I conclude that the appeal should be dismissed, some of the grounds of appeal have been well made. Indeed, they have contributed to my conclusions and recommendations for tighter controls. In closing, I think that the Applicant must recognise that past problems must not recur and that, if this project proceeds, it will be important to adhere to the Planning conditions through effective site and business management.

Recommendation: That the Minister dismisses the appeal and confirms the Planning Permission granted under **P/2015/1684**, subject to Officers re-issuing the Decision Notice with the following revisions and additional conditions:

Revised description

Replace description with: *Proposed repairs and alterations to reinstate fire damaged vehicle repair / servicing garage. External works to include repairs, alterations and cladding of walls, new windows and customer entrance (on west elevation), new roller shutter and bi-fold vehicular access doors and erection of new roof structure faced with profiled steel panels with translucent inserts. Internal works to include removal of walls and alterations to create open workshop area with vehicle hoists; vehicle parking; storage areas; creation of lobby, reception and WCs with office over at first floor level.*

List of Approved Plans

Delete reference to Drawing 3712-8C

Additional Conditions

1. The ground floor layout shall be laid out precisely as detailed on Drawing No. 3712-8C Parking and the areas within the building shall be used for their designated purposes. Furthermore, the vehicle flow route and the four space vehicle parking area shall be permanently marked out and thereafter maintained for their intended purposes and shall be kept free of any obstruction at all times when the business is operational.

Reason: For the avoidance of doubt and to ensure that parking and manoeuvring areas are maintained for their intended purpose to avoid vehicles obstructing the adjacent highways in the interests of highways safety and the amenities of the area.

2. No vehicle paint spraying booth or bake oven facilities shall be established within the building at any time.

Reason: To protect the amenities of nearby residential properties in accordance with Policy GD 1 of the Island Plan.

3. The garage shall only operate its services to customers between the hours of 08.00 – 18.00 hours on weekdays (Monday – Friday) and 08.00 – 13.00 hours on Saturdays. It shall not operate on Sundays or Bank Holidays.

Reason: To protect the amenities of nearby residential properties in accordance with Policy GD 1 of the Island Plan.

P. Staddon **Mr Philip Staddon BSc, Dip, MBA, MRTPI**