

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: Temporary change of use to create site compound. Alter existing and relocate vehicle access to south boundary.

LOCATION: Land adjacent to, Rue Rondel and La Rue De La Corbinerie, St. Martin.

APPLICANT: Office of the Committee *for* Health and Social Care

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: 10/11/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/08/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: IBI drawing no's: 123180-IBI-P1-ZZ-PL-A-100-010 Rev P2 & 011 Rev P2

Application Ref: FULL/2021/1749

Property Ref: J00579B001

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 use hereby permitted shall cease and the affected agricultural land, vehicular access and roadside boundary on La Rue de la Corbinerie shall all be restored to their former condition on or before 10 November 2028, or on conclusion of the Princess Elizabeth Hospital Modernisation Programme, whichever is sooner, and be subsequently monitored, all in complete accordance with the details of restoration contained in the submitted Use and Restoration Statement and Ecological Assessment prepared by Environment Guernsey Limited.

Reason - But for the special circumstances of this case involving Development of Strategic Importance, the Authority would not have been prepared to grant permission to the application. This condition is imposed to make sure this use does not become permanently established.

5. The use hereby approved shall not be carried out otherwise than in complete accordance with the recommendations of Traffic & Highway Services regarding highway safety and traffic management measures as set out within the submitted Traffic Safety and Management Statement.

Reason - To ensure that appropriate highway safety and traffic management measures are put in place for the duration of the approved temporary use.

Expiry Date: This permission will cease to have effect on 09/11/2024 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Effect of planning permission:

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

- (1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).
- (2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.
- (3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.
- (4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.
- (5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

Right of appeal against planning decisions:

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision. The official Appeal Notice Forms are available on the States of Guernsey website at www.gov.gg/planningpanel and must be completed with all enclosures in multiples as requested and received within the six months deadline.

Copy of representations made:

In reaching this decision the Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

Other Remarks:

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services (highways@gov.gg) for further advice. You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with their requirements.

This document is not a Building Licence and confers no approval under the Building Regulations.

A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.

A J ROWLES

Director of Planning
Planning Service

PLANNING APPLICATION REPORT

Application No: FULL/2021/1749
Property Ref: J00579B001
Valid date: 06/08/2021
Location: Land adjacent to Rue Rondel and La Rue De La Corbinerie St. Martin Guernsey GY4 6UU
Proposal: Temporary change of use to create site compound. Alter existing and relocate vehicle access to south boundary.
Applicant: Office of the Committee for Health and Social Care

RECOMMENDATION - Grant: Planning Permission with Conditions:

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

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 use hereby permitted shall cease and the affected agricultural land, vehicular access and roadside boundary on La Rue de la Corbinerie shall all be restored to their former condition on or before 10 November 2028, or on conclusion of the Princess

Elizabeth Hospital Modernisation Programme, whichever is sooner, and be subsequently monitored, all in complete accordance with the details of restoration contained in the submitted Use and Restoration Statement and Ecological Assessment prepared by Environment Guernsey Limited.

Reason - But for the special circumstances of this case involving Development of Strategic Importance, the Authority would not have been prepared to grant permission to the application. This condition is imposed to make sure this use does not become permanently established.

5. The use hereby approved shall not be carried out otherwise than in complete accordance with the recommendations of Traffic & Highway Services regarding highway safety and traffic management measures as set out within the submitted Traffic Safety and Management Statement.

Reason - To ensure that appropriate highway safety and traffic management measures are put in place for the duration of the approved temporary use.

OFFICER'S REPORT

Brief Description:

Temporary change of use to create site compound. Alter existing and relocate vehicle access to south boundary.

Existing Use(s):

Hospital and adjoining agricultural land within use class 28

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

x
x
x

visual amenity acceptable
no material neighbour impact
traffic not affected

x
x
x

Policies considered most relevant:

S5: Development of Strategic Importance
OC2: Social and Community Facilities Outside of the Centres
OC5(A): Agriculture Outside of the Centres – within the Agriculture Priority Areas
GP1: Landscape Character and Open Land
GP8: Design
GP9: Sustainable development
IP9: Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

The proposal forms part of the Hospital Modernisation Programme and involves use of an area of agricultural land of approximately 1,100 sqm. to the west of the former Border Agency/Customs building on the western perimeter of the Hospital site as a temporary site works compound. The building itself would also be used to provide temporary site accommodation. The existing access from La Rue de la Corbinerie would be altered and realigned and a temporary roadway created to serve the site compound.

The Hospital Modernisation Programme is a three-phase programme starting in 2022 and programmed to complete in 2028. The application states that the temporary site compound will be required for all three phases.

The application is supported by an Ecological Assessment prepared by Environment Guernsey Limited and a Use and Restoration Statement which together make clear that the land will be restored to its former condition at the end of the period for which the site compound and access are required, and the method by which this will be achieved.

Recommendations of Traffic & Highway Services (THS) regarding highway safety and traffic management measures are included within a submitted Traffic Safety and Management Statement.

Although part of the site is agricultural land falling within an Agriculture Priority Area (APA), the proposal is clearly required as part of the Hospital Modernisation Programme and constitutes Development of Strategic Importance within the terms of Policy S5 of the Island Development Plan.

The proposal is for a temporary use of the land which, as such, would not have an unacceptable impact on landscape character or result in longer-term loss of agricultural land. There would be no adverse effect on neighbouring properties or on protected trees, monuments or buildings.

Subject to conditions governing the temporary period for which the use is permitted, requiring full reinstatement of the land and access in accordance with the submitted details contained in the Use and Restoration Statement and Ecological Assessment, and adherence to the recommendations of THS as set out within the Traffic Safety and Management Statement, the application is acceptable in relation to the above policies and other material planning considerations.

Recommendation:

Grant with Conditions



Date: 10/11/2021

