

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: Create access ramps to pools.

LOCATION: La Vallette Bathing Pools, La Vallette, St. Peter Port.

APPLICANT: States Of Guernsey

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: 01/12/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/10/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DLM 1109_ 2, 3, 4, 5, 6, 7 & 8.

Application Ref: FULL/2021/2245

Property Ref: A41111A000

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 works hereby approved shall be undertaken in accordance with the construction phase mitigation measures set out in section 9.2 of the submitted Environment Guernsey Ltd La Vallette Ecological Assessment of proposed access ramp report, completion date October 2021.

Reason - To reduce the impact of the development on biodiversity.

Expiry Date: This permission will cease to have effect on 30/11/2024 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/2021/2245
Property Ref: A41111A000
Valid date: 11/10/2021
Location: La Vallette Bathing Pools La Vallette St. Peter Port Guernsey
GY1 1AX
Proposal: Create access ramps to pools.

Applicant: States Of Guernsey

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).

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Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4. The works hereby approved shall be undertaken in accordance with the construction phase mitigation measures set out in section 9.2 of the submitted Environment Guernsey Ltd La Vallette Ecological Assessment of proposed access ramp report, completion date October 2021.

Reason - To reduce the impact of the development on biodiversity.

OFFICER'S REPORT

Brief Description of the site:

Facilities at La Vallette bathing pools are currently undergoing major redevelopment works. As part of this project, planning permission is requested to create a concrete access ramp linking the main building with the bathing pools by installing 3 individual sections and including a handrail to match the approved hand rails on the boardwalk level and in other areas around the bathing pools.

The application is supported by an Ecological Assessment report, completion date October 2021.

The site is within the St Peter Port Main Centre Outer Area and Harbour Action Area and partly within a Conservation Area and an Area of Biodiversity Importance.

Relevant History:

04/11/2021 – FULL/2021/2169 – Permission granted for variations to plans previously approved to extend and alter existing changing rooms/kiosk building to provide community changing rooms, along with associated external works - relocate bike park and erect bin store.

17/06/2020 – FULL/2020/0531 – Permission granted to extend and alter existing changing rooms/kiosk building to provide community changing rooms (lower ground floor), kiosk and seating areas (upper ground floor) and community/events pavilion (first floor) along with associated external works.

Existing Use(s):

Bathing pools

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	n/a	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

MC3: Social and Community Facilities in Main Centres and Main Centre Outer Areas
MC9(A): Leisure and Recreation in Main Centres and Main Centre Outer Areas –
New, and extension, alteration or redevelopment of existing uses
MC10: Harbour Action Areas
GP1: Landscape Character and Open Land
GP3: Areas of Biodiversity Importance
GP4: Conservation Areas
GP8: Design
GP9: Sustainable Development

Conclusion/Brief comment:

The submitted Ecological Assessment sets out that the natural habitats have largely been lost through various phases of construction or maintenance work and concludes that the installation of the access ramp would result in the loss of a relatively small amount of Littoral Rock habitat. However, it is recommended that opportunities to limit this impact should be considered. It is concluded that the creation of the access ramp would lead to some localised ecological losses although these are limited in terms of extent and severity. By undertaking appropriate mitigation (section 9 of the report), the various environmental impacts could be reduced to a level deemed acceptable and would safeguard the remaining habitats around the site.

The information submitted has demonstrated that the biodiversity interest of the site has been considered and taken into account as part of the design and development process. Provided that the construction phase mitigation measures as set out in section 9.2 of the ecological report are implemented, the proposal would have no significant adverse effects on the Area of Biodiversity Importance, in accordance with Policy GP3.

The area of the proposed ramp has been extensively altered throughout its long history as a bathing facility and it consists of a mix of natural rock and concrete. The installation of 3 additional concrete sections to create the ramp would have no adverse effects on the character and appearance of the Conservation Area. The installation of the ramp would improve accessibility to the bathing pools.

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.

It is recommended that the application is approved.

Recommendation:

Grant with Conditions



Date: 30/11/2021