

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: Re-surface parking area and form a swale.

LOCATION: Main Car Park, Saumarez Park, Saumarez Lane, Castel.

APPLICANT: ACLMS

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: 07/07/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/11/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ACLAM Saumarez Park Location Plan Carpark - SUDS Options, SUDS Options POND and Layout

Application Ref: FULL/2021/2425

Property Ref: D016390000

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 swale hereby approved shall be formed in accordance with the approved plans prior to the resurfaced car park being first brought into use.

Reason - To ensure the appropriate management of surface water from the car park within the Saumarez Park site with no surface water run-off to the local drainage network and in the interests of sustainable development having regard to Policy GP9 of the Island Development Plan.

Expiry Date: This permission will cease to have effect on 06/07/2025 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/2021/2425
Property Ref: D016390000
Valid date: 09/11/2021
Location: Main Car Park Saumarez Park Saumarez Lane Castel Guernsey
GY5 7UJ
Proposal: Re-surface parking area and form a swale.
Applicant: ACLMS

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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4. The swale hereby approved shall be formed in accordance with the approved plans prior to the resurfaced car park being first brought into use.

Reason - To ensure the appropriate management of surface water from the car park within the Saumarez Park site with no surface water run-off to the local drainage network and in the interests of sustainable development having regard to Policy GP9 of the Island Development Plan.

OFFICER'S REPORT

Brief Description of the site:

The site is accessed via car from Route De Saumarez to the southeast and is situated to the southeast of St John's Residential Home within the grounds of Saumarez Park. The play park is situated to the east of the car park site.

The application relates to the resurfacing of the car park with tarmac and, as amended, to introduce a swale to manage surface water run-off from the re-surfaced area. As originally submitted, the scheme did also propose alterations to the weir at the pond on site however this was omitted from the scheme following the receipt of comments from Guernsey Water.

The site is located Outside of the Centres as designated in the Island Development Plan.

Relevant History:

FULL/2021/0866 – main car park - remove section of granite setts and patio slabs and resurface - granted

Existing Use(s):

Leisure and Recreation – car park

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:

Island Development Plan policies:

OC9: Leisure and Recreation Outside of the Centres
GP5: Protected Buildings

GP8: Design
GP9: Sustainable Development
GP18: Public Realm and Public Art
IP7: Private and Communal Car Parking

Consultation:

Guernsey Water- has no objections to the revised proposals as it deals with the surface water from the car park within the park itself.

Conclusion/Brief comment:

Planning permission was granted in 2021 for the partial resurfacing of the car park through the removal of the uneven granite setts and patio slabs and their replacement with tarmac. The surface was considered uneven and unsafe. Through the grant of this permission it was accepted that the Prince of Wales Feathers which sit within the existing hard surfacing would be removed. The supporting information at that time indicated that future schemes for resurfacing the entire area “may allow for the opportunity to create a surface with an aesthetic interest”.

Policy OC9: Leisure and Recreation Outside of the Centres provides general support for works to sites that are used for outdoor informal leisure and recreation, as here.

The scheme now proposes the resurfacing of the carpark as a whole. The Prince of Wales Feathers would not be retained. The uneven and unsafe surface would be removed thereby enhancing this area of the car parking in terms of its accessibility for people of all ages and abilities and would enhance the functionality of the area for the public benefit. Although the scheme does not represent a high standard of design that would enhance the character of the locality for the public benefit, the proposal would reflect the surfacing of the access driveway and other hardsurfaced areas within the site, close by in accordance with the aims of Policy GP8.

The car park and crest do not form part of the listing for Saumarez Park, and the removal of the crest would have a no effect on the setting of the Protected Building given the separation distance between them and when considering Policy GP5 of the Island Development Plan.

Policy IP7 of the Plan relates to the provision of off-road parking for developments with regard to the adopted Supplementary Planning Guidance: Parking Standards and Traffic Impact Assessment (December 2016). The guidance relates primarily to new developments but does identify that although the standards will be expected to be met they are intended as guidance and are not, therefore inflexible. The proposed resurfacing works would formalise parking, making best use of the space and meet the aims of Policy IP7.

The application submission as amended indicates that consideration has been given drainage from the site through the introduction of a swale to manage surface water run-off. The scheme as amended therefore meet the aims of Policy GP9.

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.

In view of the above, it is recommended planning permission is granted for the proposed development.

Recommendation:

Grant with Conditions



Date: 06 July 2022