

**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:** Erect outdoor classroom/sheltered area, canopies, fencing and gate and resurface playground area.

**LOCATION:** Blanchelande College, Les Vauxbelets, St. Andrew.

**APPLICANT:** Blanchelande College

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:** 18/02/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 29/11/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** bhp drawing no's: G4603 01 01 Rev A, 03, 04A & 05

**Application Ref:** FULL/2021/2448

**Property Ref:** K004840000

**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.

**Expiry Date: This permission will cease to have effect on 17/02/2025 unless development is commenced by that date.**

**ADVICE AND OTHER REMARKS:-**

This permission is given under the Land Planning and Development (Guernsey) Law, 2005. This decision does not override or prejudice any legal rights or constraints which exist in relation to the application site.

**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](http://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](mailto: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/2021/2448  
**Property Ref:** K004840000  
**Valid date:** 29/11/2021  
**Location:** Blanchelande College Les Vauxbelets St. Andrew Guernsey  
GY6 8XY  
**Proposal:** Erect outdoor classroom/sheltered area, canopies, fencing and  
gate and resurface playground area.  
**Applicant:** Blanchelande College

**RECOMMENDATION - Grant: Planning Permission with Conditions:**

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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.

## **INFORMATIVES**

This permission is given under the Land Planning and Development (Guernsey) Law, 2005. This decision does not override or prejudice any legal rights or constraints which exist in relation to the application site.

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## **OFFICER'S REPORT**

### **Site Description:**

Blanchelande College is a site occupied by various and multi-storey buildings positioned on an elevated site to the north of Route De St Andre and to the east of The Little Chapel.

The site is located Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan.

### **Relevant History:**

None.

### **Existing Use(s):**

School

### **Brief Description of Development:**

The application relates to the erection of a sheltered area to act as an outdoor classroom at Blanchelande College and for new canopies, fencing and gate to be installed along with the resurfacing of the playground area.

### **Relevant Policies of any Plan, Subject Plan or Local Planning Brief:**

Island Development Plan polices:

OC2: Social and Community Facilities Outside of the Centres

GP8: Design

GP4: Conservation Areas

### **Representations:**

One letter of representation has been submitted setting out that there is some inaccuracy with regard to the boundary between the Little Chapel and Blanchelande College. The concern is with regard to the appropriate drainage arrangements for

any new works on the Blanchelande College site as there is already inadequate provision for suitable drainage, particularly the surface water from the College site. Water ingress has caused much of the historical damage to the foundations of the Little Chapel and continues to do so. TLC Foundation have not been asked for its consent and nor is consent given for its land to be used in connection with this development, contrary to Section J of the application form.

Section 6 of the Conveyance for the Little Chapel would be contravened because “both parties must give reasonable prior notice of any proposed work and cause the least possible inconvenience to the other party.” TLC Foundation would not wish contractors’ vehicles or equipment/materials to be parked or placed in the Little Chapel car park.

**Consultations:**

None.

**Summary of Issues:**

The key issue in this case relates to the impact of the proposed works on the character and appearance of the locality.

**Assessment against:**

**1 - Purposes of the law.**

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, ‘the Law’, have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

**2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**

The proposals comprise minor works ancillary and incidental to the overall use of the site for educational purposes.

The proposed outdoor classroom area/shelter, canopies, fencing and resurfacing works proposed would not result in a significant change in the use of the area. The proposals would not alter the impact on the amenities of occupiers of surrounding buildings and nor will the development result in harm to the character and appearance of the open landscape concerned.

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 comments and concerns raised regarding the application site boundary have been noted, however determination of a planning application does not override any

legal rights relating to land ownership and would not permit contractors to use land outside the application site for parking or storage of materials/equipment. The use of other land for this purpose would ultimately be a private civil matter between land owners. The concerns raised regarding land ownership cannot therefore, prevent the determination of the application. The proposed development is set well away from the west site boundary with the Little Chapel and there is no evidence that surface water run-off from the school site will alter as a result of the proposed resurfacing works. The works will be required to comply with the current Building Regulations which addresses matters relating to surface water disposal.

The scheme accords with the relevant policies in the Island Development Plan, and it is recommended planning permission is granted for the development.

### **3 - General material considerations set out in the General Provisions Ordinance.**

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

### **4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

The proposal would have no adverse impact on protected trees, buildings or sites.

**Date:** 18 February 2022



