

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 gate and fencing to south and west boundaries, create new path and ramped access and erect signage (protected building).

LOCATION: Church House, Church Road, St. Sampson.

APPLICANT: The National Trust 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: 24/01/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/12/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: bhp drawing no's: G4376 01 01-1 & G4376 01 07B

Application Ref: FULL/2021/2555

Property Ref: B003560000

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.Prior to the installation of the gate and fence along the west roadside boundary, details of the gate and fence, including the materials, shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the works preserve the special interest of this protected building.

5.Prior to the replacement of door ironmongery, a specification of any replacement door ironmongery shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the works preserve the special interest of this protected building.

6.Where fitted to walls of dressed stone, any signs, boards, rails and mountings shall be fixed through joints between the stones.

Reason - To preserve the special interest of this protected building.

Expiry Date: This permission will cease to have effect on 23/01/2025 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/2021/2555
Property Ref: B003560000
Valid date: 06/12/2021
Location: Church House Church Road St. Sampson Guernsey GY2 4LL
Proposal: Erect gate and fencing to south and west boundaries, create new path and ramped access and erect signage (protected building).

Applicant: The National Trust 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).

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. Prior to the installation of the gate and fence along the west roadside boundary, details of the gate and fence, including the materials, shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the works preserve the special interest of this protected building.

5. Prior to the replacement of door ironmongery, a specification of any replacement door ironmongery shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed features. This condition is imposed to make sure that the works preserve the special interest of this protected building.

6. Where fitted to walls of dressed stone, any signs, boards, rails and mountings shall be fixed through joints between the stones.

Reason - To preserve the special interest of this protected building.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested to erect a gate and fencing at the entrance to the site and a fence to separate the interpretation centre and the residential property, surface path with Gridforce infilled with gravel and install signage associated with the interpretation centre.

The site consists of a traditional stone faced dwelling and a detached outbuilding situated to the east of Church Road. The whole of the dwelling, together with the outbuildings and walls to the north and west, is a protected building. The site is situated within The Bridge Conservation Area and Main Centre Inner Boundary and is in the Middle and Outer Zones of the Major Hazards Public Safety Zone around the fuel storage site at Bulwer Avenue.

Relevant History:

21/09/2020 – FULL/2020/0409 – Permission granted to refurbish dwelling incorporating demolish and rebuild chimney, re-roofing, partially demolish rear lean-to and form covered porch, internal alterations, replace gate and install fence. Change the use of outbuilding to an interpretation centre (Protected Building).

Existing Use(s):

Residential use class 1: dwelling house

Recently approved interpretation centre (FULL2020/0409)

Assessment: *(Tick as appropriate)*

no representation



accords with policy



within curtilage



design acceptable



visual amenity acceptable



no material neighbour impact



traffic not affected

**Policies considered most relevant:**

Policy MC9(A): Leisure and Recreation in Main Centres and Main Centre Outer Areas

- New, and Extension, Alteration or Redevelopment of Existing Uses

Policy GP4: Conservation Areas

Policy GP5: Protected Buildings

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP13: Householder Development

Policy GP17: Public Safety and Hazardous Development

Policy IP7: Private and Communal Car Parking

Policy IP9: Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

Planning permission was granted in September 2020 to refurbish the dwelling and to change the use of the outbuilding to an interpretation centre (FULL/2020/0409).

Permission is now sought for associated works for the interpretation centre.

The understanding of the history of the area would be enhanced by the installation of the proposed information boards. In this respect, Policy MC9(A) supports new leisure and recreation developments within the Main Centres.

The proposed alterations are unlikely to have any adverse effects on the overall special interest of the protected building, in accordance with Policy GP5. However, to ensure that the detailed design of the proposal achieve a high standard of design it is recommended that further details are requested regarding the gate and fence along the west roadside boundary and the specification of any replacement door ironmongery, this can be dealt with by condition. In addition, where fitted to dressed stone it is recommended that any signs, boards, rails and mountings are fixed through joints between the stones.

The special character, architectural and historic interest and appearance of the Conservation Area would be conserved and enhanced by the proposed alterations, in accordance with Policy GP4.

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: 24/01/2022