

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: Install replacement doors and windows, re-roof, extend and infill glazing and extend to south-east elevation and install ramped access to south-west elevation.

LOCATION: Candie Museum & Art Gallery, Candie Road, St. Peter Port.

APPLICANT: Committee For Education, Sport And Culture

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: 11/04/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 03/02/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Property Services: 1564ED21/1, /2, /3A, /4 & /5.

Application Ref: FULL/2022/0003

Property Ref: A11380A000

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.Within 2 months of the 'curtain walling' to the east elevation of the building being constructed as shown on drawing no. 3A (serving the kitchen and entrance foyer), the exterior face of those walls shall be finished in smooth render.

Reason - To respect the character and appearance of the Conservation Area and in the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 10/04/2025 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/2022/0003
Property Ref: A11380A000
Valid date: 03/02/2022
Location: Candie Museum & Art Gallery Candie Road St. Peter Port
Guernsey
Proposal: Install replacement doors and windows, re-roof, extend and
infill glazing and extend to south-east elevation and install
ramped access to south-west elevation.
Applicant: Committee For Education, Sport And Culture

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. Within 2 months of the 'curtain walling' to the east elevation of the building being constructed as shown on drawing no. 3A (serving the kitchen and entrance foyer), the exterior face of those walls shall be finished in smooth render.

Reason - To respect the character and appearance of the Conservation Area and in the interests of visual amenity.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a museum and art gallery with an ancillary café which is set at the top of Candie Gardens. The site is located in a Conservation Area and Main Centre Inner Area as defined in the Island Development Plan.

Planning permission is sought to install replacement doors and windows, re-roof, replace glazing, extend blockwork wall to the south-east elevation (serving the kitchen and entrance foyer), and install a ramped access to the south-west elevation.

Relevant History:

FULL/2011/2582	Erect porch and replace window with emergency exit door at rear. Construct ramps/walkways and carry out alterations to landscaping at rear.	Granted
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Existing Use(s):

Public Amenity Use Class 19: Museum

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:

MC3 Social and Community Facilities in Main Centres and Main Centre Outer Areas
GP4 Conservation Areas
GP8 Design
GP9 Sustainable Development

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.

Policy MC3 allows for alterations to existing buildings where the proposal accords with all other relevant policies of the Plan.

The proposed ramp will improve accessibility to the building which is encouraged under policy and due to its low profile design, it will not have an adverse effect on the character and appearance of the Conservation Area.

The re-roofing of the existing flat roof and bandstand roof together with the alterations to Victoria's Café will have a negligible visual effect. It is however recommended that a condition be attached to the decision to ensure that the exterior face of the new 'curtain walling to the east elevations' (serving the kitchen and entrance foyer) are smooth rendered to respect the character and appearance of the Conservation Area.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 07/04/22