

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 earthbank to north boundary and install pontoon (retrospective).

LOCATION: Vale Mill, Hougue Du Moulin, Vale.

APPLICANT: Vale Mill Limited

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: 01/06/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 29/04/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: CCD Architects:2962 CD-18, 2962-Vale Mill Pontoon Measurements and Northern Boundary viewed from road - post planting and bank formation.

Application Ref: FULL/2022/0710

Property Ref: C02655B000

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 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.

3.The pontoon hereby permitted shall be removed from the site when no longer required for safety and maintenance purposes of the quarry, or in the event that future developments allow for the installation of a replacement pontoon, whichever is the sooner. Once removed the site shall be reinstated to its former condition in accordance with a scheme previously agreed in writing by the Authority.

Reason - To secure the removal of the pontoon when no longer needed, thereby safeguarding the character and appearance of the locality.

Expiry Date: This permission will cease to have effect on 31/05/2025 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/2022/0710
Property Ref: C02655B000
Valid date: 29/04/2022
Location: Vale Mill Hougue Du Moulin Vale Guernsey GY3 5NQ
Proposal: Erect earthbank to north boundary and install pontoon (retrospective).

Applicant: Vale Mill Limited

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 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.

3. The pontoon hereby permitted shall be removed from the site when no longer required for safety and maintenance purposes of the quarry, or in the event that future developments allow for the installation of a replacement pontoon, whichever is the sooner. Once removed the site shall be reinstated to its former condition in accordance with a scheme previously agreed in writing by the Authority.

Reason - To secure the removal of the pontoon when no longer needed, thereby safeguarding the character and appearance of the locality.

OFFICER'S REPORT

Brief Description of the site:

The application site includes the mill building and the area of land to the west which is presently gravelled and use for parking. There is a quarry to the west and a field to the north, which also form part of the land ownership. The quarry land comprises a flooded quarry, located between the Rue De L'Ecole to the north and Hougue du Moulin road to the south and is set below the level of those roads. There are views into the quarry from both roads, although these are limited to the north by the onsite vegetation. Although the site is bounded by agricultural land to the west and north-east, that land abuts residential development in both directions. The mill is accessed via an external stone staircase, and is presently vacant.

The mill is a protected building.

There is a 2-storey block of 8 cottages to the east.

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

The application relates to the erection of an earthbank to the north boundary of the quarry site, to Rue De L'Ecole and the provision of a pontoon for a temporary period. The application is retrospective because these works have been undertaken.

The pontoon is a temporary safety measure on site and will not replace the approved ponton (FULL/2020/0135). Once details of the permanent pontoon have been submitted to and agreed in writing by the Authority the temporary pontoon will be removed.

Relevant History:

FULL/2020/0135 – convert mill to dwellinghouse including alterations to fenestration, erection of two-storey glazed entrance extension, construction of underground extension from mill to quarry face. Create cantilevered terraces and pathway around quarry; install floating pontoon and summerhouse in quarry, widen vehicular access, lower roadside wall and erect fence to south boundary (Protected Building) – granted

FULL/2018/0329 - Extend curtilage of Vale Mill site to include Quarry and surrounding land – granted

FULL/2015/0870 - Alter and convert former mill into dwelling (Protected Monument) – granted

Existing Use(s):

Vacant mill building & flooded quarry.

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
- GP1 Landscape character and open land
- GP5 Protected Buildings
- GP8 Design
- GP9 Sustainable Development

Conclusion/Brief comment:

As the Planning History outlines, permission has been granted for the mill to be used as a unit of residential accommodation and for curtilage associated with the mill to incorporate the flooded quarry to the west. As the mill remains under renovation/extension there is currently no recognised dwelling on the site. The application for the change of use of land concluded by stating *"This assessment is however based on the use of the land for ancillary residential purposes in association with the converted mill building. There is little justification to consider such an extension in association with the existing redundant building. As the conversion has not yet been implemented, and will shortly expire, it is recommended that the change of use is conditional upon the conversion of the mill."* At present therefore, the quarry does not represent domestic land.

The proposed pontoon would therefore be considered under Policy OC9 (Leisure and Recreation Outside of the Centres), as informal leisure and recreation. The proposal would be proportionate and ancillary to the use of the quarry and the site is not located within an Agriculture Priority Area.

The provision of an earthbank as set out in the application and the pontoon both respect the local landscape character and would not result in the unacceptable loss of any features that contribute to the wider landscape character. Although the development would not improve visual or physical access to open and undeveloped

land it is noted that the land will form part of the domestic land associated with the mill, once converted.

There would be no impact on neighbour amenity.

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.

Although permission is sought for a temporary site safety pontoon it is a reasonable aspiration of the site owner to have access for safety and maintenance in the quarry and for the reasons set out above, the pontoon would not have a detrimental impact on the local area. As a result it is not considered necessary to impose a condition requiring its removal in connection with the development of the mill. It would be reasonable however to require its removal if no longer required.

Recommendation:

Grant with Conditions



Date: 30 May 2022

