

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 single storey flat roofed outbuilding to south-west of existing outbuilding/store.

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: 19/12/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/08/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: bhp drawing no's: G4603 01 06A, 10 & G4603 02 16

Application Ref: FULL/2022/1520

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.

4.No development, including site works, shall begin on site until each tree shown to be retained on the approved plan has been protected, in a manner previously agreed in writing by the Authority. Each tree shall be protected in the agreed manner for the duration of building operations on the application site. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

Reason - To make sure that the works are carried out in a way which safeguards the health and amenity of each tree.

5.The lime tree planting scheme shown on the approved Landscape Plan shall be planted in the first planting season following the first use of the building hereby approved or the completion of the development, whichever is the sooner. Any trees removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees of a size and species similar to those originally required to be planted.

Reason - To make sure that the trees are planted in a reasonable timeframe in the interests of visual amenity.

6.The existing tree planting scheme to the north and south of the application site as shown on the approved Landscape Plan shall be retained as part of this application. Any trees removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees of a size and species similar to those originally planted.

Reason - To make sure that the trees planted are retained in the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 18/12/2025 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/2022/1520
Property Ref: K004840000
Valid date: 15/08/2022
Location: Blanchelande College Les Vauxbelets St. Andrew Guernsey GY6 8XY
Proposal: Erect single storey flat roofed outbuilding to south-west of existing outbuilding/store.

Applicant: Blanchelande College

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.

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Reason - To make sure that the works are carried out in a way which safeguards the health and amenity of each tree.

5. The lime tree planting scheme shown on the approved Landscape Plan shall be planted in the first planting season following the first use of the building hereby approved or the completion of the development, whichever is the sooner. Any trees removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees of a size and species similar to those originally required to be planted.

Reason - To make sure that the trees are planted in a reasonable timeframe in the interests of visual amenity.

6. The existing tree planting scheme to the north and south of the application site as shown on the approved Landscape Plan shall be retained as part of this application. Any trees removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees of a size and species similar to those originally planted.

Reason - To make sure that the trees planted are retained in the interests of visual amenity.

OFFICER'S REPORT

Brief Description of the site:

The application site known as Blanchelande College comprises a school, set within extensive grounds. The site is located Outside of the Centres and is within an Agriculture Priority Area as designated in the Island Development Plan.

Planning permission is sought to erect a single storey flat roof outbuilding to the south-west (rear) of an existing equipment store. It is noted that the structure will be prefabricated and include changing room facilities, showers, WC, and lockers.

Two other applications have been submitted simultaneously for works associated in and around the existing pavilion and sports equipment outbuilding to the south-west of the playing fields.

The application was deferred to clarify the proposal due to the proximity between the proposal and the mature landscaping to the rear of the development.

The agent has confirmed that two lime trees and shrubs have been removed from the site during the application process, and the trees and hedges that are to remain on site have also been shown on the revised drawing. It is also noted that the trees and shrubs that have already been removed have already been offset elsewhere on the site as part of a separate tree planting scheme to the north and south of the application site.

The application has been supported by a statement which notes that the prefabricated modular facilities will be installed on ground screws which will negate the need to excavate and lay other foundations which could further impact on tree roots in the vicinity. The proposed structure is to be clad with timber.

Relevant History:

FULL/2022/1192	Erect roof/canopy, outbuilding and alterations to existing building to provide outdoor area over existing pavilion.	Pending
FULL/2022/1526	Erect 2 storey outbuilding with external staircases to south-west of existing outbuilding/store.	Pending

Existing Use(s):

Blanchelande College – Public amenity use class 19

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:

GP1: Landscape Character and Open Land
GP8: Design
GP9: Sustainable Development
OC2: Social and Community Facilities Outside of the Centres

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 OC2 (Social and Community Facilities Outside of the Centres) sets out that:

“Proposals for the extension, alteration and redevelopment of existing social and community facilities will be supported where the proposal would not undermine the vitality of the Centres, where it would be of a scale appropriate to its setting, where there are no unacceptable impacts on the visual appearance and amenity of the location concerned and where they accord with all the other relevant policies of the Island Development Plan.”

Whilst the design of the proposal is not of a ‘high’ standard of design by virtue of its form and detailing, the structure will be set behind an existing outbuilding which will screen the majority of the development from public view due to the low profile of the proposed structure.

Whilst it is regrettable that a number of trees and shrubs have been removed as part of the development, which in itself does not require planning permission, these plants have already been replaced elsewhere on site and therefore for the purpose of this application, the proposal will have a neutral effect on the overall landscape character of the site and visual amenity.

The choice of ground screw foundations is also likely to have a limited impact on the remaining tree roots in the vicinity. It is reasonable and necessary to impose planning conditions to ensure that the existing trees adjacent to the area of development are appropriately protected during site works to limit further harm to the landscape, ensure the proposed lime trees to the north-west of the proposed building are planted in a reasonable timeframe, and a condition regarding the retention of the trees already planted elsewhere on the site.

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: 19/12/22