

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: Alteration to vehicle access. (Protected Building & Protected Trees).

LOCATION: Grange Road House, La Grange, St. Peter Port.

APPLICANT: New Vision 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: 12/05/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/02/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton: 2068/03.30 & /03.32.

Application Ref: FULL/2023/0427

Property Ref: A306970000 + A30697A000

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.The wall hereby permitted shall be rendered on both sides to match the existing roadside boundary wall, within 28 days of construction.

Reason - In the interests of visual amenity, to preserve the character and appearance of the Conservation Area.

Expiry Date: This permission will cease to have effect on 11/05/2026 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/2023/0427
Property Ref: A306970000 + A30697A000
Valid date: 22/02/2023
Location: Grange Road House La Grange St. Peter Port Guernsey
Proposal: Alteration to vehicle access. (Protected Building & Protected Trees).

Applicant: New Vision 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 shall be begun within 3 years from the date of grant of this permission.

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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 - In the interests of visual amenity, to preserve the character and appearance of the Conservation Area.

OFFICER'S REPORT

Brief Description of the site:

Following the grant of planning permission to extend and alter Grange Road House, a former office building, to create 6 flats and a medical centre with ancillary pharmacy with associated car and cycle parking and amenity space permission is now sought to amend the internal layout of the building, alter fenestration including additional rooflights, to enlarge the plant room and amend the car park layout. There are Protected Trees on the site and the building is protected.

The site is located in the Main Centre and Conservation Area as designated in the Island Development Plan. The site is allocated for housing in the Island Development Plan.

Relevant History:

FULL/2021/1841 - Change of Use from offices (Use Class 15: Administrative, Financial and Professional Services) to 7 flats (Residential Use Class 2) and Medical Centre and ancillary pharmacy (Public Amenity Use Class 18) (Protected Building). Granted 09/11/2021.

FULL/2022/1268 – Extend and alter former office building to create 6 flats (residential use class 2) and Medical Centre with ancillary pharmacy (Public Amenity Use Class 18), erect bin/bike and plant store and create petanque pitch and parking area (Protected Building and Protected Trees). Granted 30/08/2022.

FULL/2023/0244 - Variation to previously approved plans to Extend and alter former office building to create 6 flats (residential use class 2) and Medical Centre with ancillary pharmacy (Public Amenity Use Class 18), erect bin/bike and plant store and create petanque pitch and parking area (Protected Building and Protected Trees) - increase floor area of plant room, fenestration and internal alterations, additional rooflights and alterations to car park layout – under consideration

Existing Use(s):

Offices (use class 15)

Permission for change of use to Medical Centre and ancillary pharmacy (Public Amenity Use Class 18) (Protected Building) has been granted.

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:

MC3: Social and Community Facilities in Main Centres and Main Centre Outer Areas
GP4: Conservation Areas
GP5: Protected Buildings
GP8: Design
GP9: Sustainable Development
IP7: Private and Communal Car Parking
IP9: Highway Safety, Accessibility and Capacity

Consultation:

ACLMs – arboricultural report.

The scope of this report is restricted to 1) comments on the potential impact of the development proposal on the multi-stem mature sycamore and the beech, both of which are close to the entrance to the site from the Grange & 2) the landscaping scheme for the proposed car park area.

Benefits

The benefits offered by the existing mature trees include softening the visual impact of the urban area, shelter & shade, removal of particulate air pollution, traffic noise moderation and supporting biodiversity in an urbanised environment. Recent research has confirmed that the benefits provided by mature trees, such as the beech & sycamore on this site offer proportionately greater benefits compared to an equivalent number of smaller trees. Therefore the retention *and protection* of these trees is desirable, in particular during construction when the risk of damage will be greater.

Comments on plan drawing

It is noted that a Root Protection Areas (RPA) are only partially drawn in for both trees. Despite the compacted area under the access road surface it is a fairly safe bet that tree roots will be present under the road. This should be reflected and acknowledged in any proposal and measures put in place to minimise any negative impact on the trees.

Access road re-alignment

The proposed plans show a re-alignment of the entrance which involves a change in level in at least within part of the (partially drawn) RPA. Whilst trees have evolved to be adaptable to the changing conditions, sudden changes must be avoided or their impacts mitigated. For example, a change in ground level, up or down, within the RPA, can alter the air/water characteristics within the soil and this can lead to indirect root loss as well as direct root loss from excavation and compaction. The plan appears to indicate that the ground level immediately around the stems of the sycamore will not change, however it is not clear as to the extent of level changes across the RPA for this tree. It is important that the soil environment within the RPA, *as a minimum*, remains as constant as possible. Where changes have to be made eg level rise, excavation, compaction, change of surface etc then a mitigation plan should be drawn up which outlines how any impacts on the root system will be mitigated.

The above recommendations are applicable to ensure physiological function of the root systems are maintained but critically, where more woody roots (which form part of the structural roots that hold the trees up) might be affected, for example closer to the stem bases, this may require a change to the design.

Car parking

The plan indicates a significant increase in ground level as well as a change of surface (from grass to hard paving) within a proportion of the drawn RPA for the beech. RPAs should be regarded as the minimum area to sustain a tree of a given size. Ideally the parking space closest to the beech should be removed but the plan appears to indicate that planning approval has already been given. If this parking space must be retained then a tree protection plan is required which must show how the negative impacts on the beech will be prevented and mitigated. Any plan should include a “no dig” methodology for construction and demonstrate that air/water porosity in the soil will be conserved at the same or similar level which exists, prior to development.

Petanque pitch

The petanque pitch appears to fall wholly within the RPAs of both trees. As for the parking space above, a tree protection plan is required which must show how the negative impacts on both trees will be prevented and mitigated. Again any plan will be expected to include a “no dig” methodology for construction and demonstrate that air/water porosity in the soil will be conserved at the same or similar level which existed, prior to development.

Landscaping scheme

Plan 03.30 indicates a scheme for paved parking with a landscaping scheme. It would be helpful to have further detail on this proposal in terms of species and specification for stock and planting. Any scheme should include a plan which both supports sustainable growth and establishment, to maturity and which minimises the impact on surrounding infrastructure from, for example, woody root growth.

Conclusion/Brief comment:

The alterations proposed to the access driveway, with changes made to the wall which runs along the edge of the internal access road, would have no adverse effect on the setting of any protected building and would conserve the Conservation Area.

The works would not have an adverse impact on residential amenity nor on highway safety.

ACLMS were consulted as part of the original planning application with amendments secured to protect the trees, a matter controlled by planning condition and which has been discharged by the Authority. Although reference has been made in the consultation response from ACLMS regarding changes to levels, parking within the RPA and a petanque pitch it is noted that the level of parking in the RPA will reduce and this is the subject of a separate planning application. The petanque pitch remains in its previously approved position. The alterations to the wall that is the subject of this scheme would not have any greater effect on the Protected Trees.

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.

In view of the above it is recommended planning permission is granted for the works outlined in this submission.

Recommendation:

Grant with Conditions



Date: 05 May 2023

