

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: Variation to plans previously approved to demolish existing and erect replacement glasshouse and 1 and 2 storey buildings. Alter vehicular access and parking and create bus layby. Change of use from horticultural (Use Class 28) to non -residential training centre (Use Class 19) - erect walls to create bins storage area to east boundary, install bollards and alterations to vehicle access and parking area. (retrospective)

LOCATION: Grow Ltd, Les Petits Quartiers, Coutanchez, St. Sampson.

APPLICANT: Grow 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: 24/07/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 14/06/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Paul Vaudin & Associates Ltd: 21-004-01S, 08P, SCP, Bins A

Application Ref: FULL/2023/1093

Property Ref: B01361B000

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.a) Within two months of the date of this permission full details of the hedge planting hereby approved to the east of the vehicular access serving staff car parking, to include planting schedules, noting the species, sizes, numbers and densities of plants, shall be submitted to and agreed in writing by the Authority.

b) The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of part (a) of this condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

4.The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 11/12/2020, issued under planning application reference FULL/2020/1563, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

Expiry Date: This permission will cease to have effect on 11/12/2023 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/2023/1093
Property Ref: B01361B000
Valid date: 14/06/2023
Location: Grow Ltd Les Petits Quartiers Coutanchez Coutanchez St.
Sampson Guernsey GY2 4GE
Proposal: Variation to plans previously approved to demolish existing and erect replacement glasshouse and 1 and 2 storey buildings. Alter vehicular access and parking and create bus layby. Change of use from horticultural (Use Class 28) to non -residential training centre (Use Class 19) - erect walls to create bins storage area to east boundary, install bollards and alterations to vehicle access and parking area. (retrospective)

Applicant: Grow 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. a) Within two months of the date of this permission full details of the hedge planting hereby approved to the east of the vehicular access serving staff car parking, to include planting schedules, noting the species, sizes, numbers and densities of plants, shall be submitted to and agreed in writing by the Authority.

b) The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of part (a) of this condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

4. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 11/12/2020, issued under planning application reference FULL/2020/1563, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a former commercial vinery, which has been utilised by Grow Ltd for charitable purposes since the early 1980s. The site is accessed on its south boundary from Verte Rue, a one-way lane, and is located Outside of the Centres and is the subject of no other designation under the Island Development Plan. The site adjoins residential properties to the north, east and west.

The application seeks to vary the previously approved scheme, FULL/2020/1563, and the amendments relate to changes to fenestration in the west elevation of the building and the relocation of water storage. The application was deferred to ensure that appropriate elevation drawings were provided for all works, as originally submitted an elevation plan for the widening of the vehicular access was not included.

The site is currently being redeveloped and is nearing completion.

Relevant History:

FULL/2022/0884 - Variations to plans previously approved to demolish existing and erect replacement glasshouse and 1 and 2 storey buildings. Alter vehicular access and parking and create bus layby. Change of use from horticultural (Use Class 28) to

non-residential training centre (Use Class 19) - Alter fenestration at 1st floor level to west elevation of building and relocate water storage.
Approved 15-06-2022

FULL/2021/2486 - Relocate and alter existing potting shed and erect bus shelter to layby to east boundary.
Approved 23/03/2022

FULL/2021/1173 - Variations to plans previously approved to demolish glasshouses and outbuildings, erect replacement glasshouses and 1 & 2 storey buildings, create new and alter existing vehicular access and create parking area - Increase floor area, install external staircase, solar panels and alterations to fenestration of Crew building, install solar panels and rooflights to Hospitality building and relocate glasshouse 1000mm to east.
Approved 19-08-2021

FULL/2020/1563 - Demolish glasshouses and outbuildings, erect replacement glasshouses and 1 & 2 storey buildings, create new and alter existing vehicular access and create parking area.
Approved 11-12-2020

Existing Use(s):

Sui Generis mixed use

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:

OC2 – Social and Community Facilities Outside of the Centres
GP8 – Design
GP9 – Sustainable Development
IP9 – Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

The proposed bollards and 'bin' stores would not materially alter the nature of the development or result in any greater impact on the character of the locality or the

amenity of neighbouring properties than was previously considered to be acceptable.

The application does not seek to widen the vehicular access but rather to reposition the hedgerow at the access to provide better manoeuvring for vehicles accessing the site. Verte Rue is limited in width which impacts on vehicles accessing this part of the site and the proposed change would be of benefit in terms of highway safety and accessibility. The effect of repositioning the hedge results in the appearance of a significantly wider access than previously approved particularly when travelling west along Vert Rue. The softening effect of the hedge in the lane would be more apparent when travelling east. It would be one of three generous access points in the lane serving the site, the other two being an in and out arrangement for visitor parking and would be seen in the context of the mixed use and other built development that exists to the north of the lane. On balance this alteration is considered to accord with the policies of the Island Development Plan and will not have an unacceptable impact on the visual amenities of this rural lane.

As the position of the hedge does not accord with the previously approved plans/landscaping scheme, it is reasonable to impose a condition that specifically relates to the proposed hedge planting to the east of the staff parking access to ensure that it is planted in accordance with the approved plans and details within a timely manner following the grant of this permission, in the interests of visual 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.

In view of the above it is recommended permission is granted for the proposed development.

Recommendation:

Grant with Conditions



Date: 21/07/2023

