

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: Demolish existing shed and erect single storey building/store.

LOCATION: Slipway at Pembroke, La Jaonneuse Road, Vale.

APPLICANT: Wooden Spoon Guernsey

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: 13/12/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/11/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Arch+ - 162-3-301

Application Ref: FULL/2023/1568

Property Ref: C018680000

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 shall begin until details of the treatment for the parcel of land indicated green to the south-east of the building, including the ground levels, the finish of the surface and whether a retaining wall would be required along the boundary with the slipway (and details thereof), have been submitted to and agreed in writing by the Authority. The works shall then be completed in accordance with the agreed details.

Reason - In the interests of visual amenity.

5.The building hereby approved shall only be used for the storage of beach wheelchairs and associated equipment.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

Expiry Date: This permission will cease to have effect on 12/12/2026 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/2023/1568
Property Ref: C018680000
Valid date: 10/11/2023
Location: Slipway at Pembroke La Jaonneuse Road La Jaonneuse Road
Vale Guernsey
Proposal: Demolish existing shed and erect single storey building/store.
Applicant: Wooden Spoon Guernsey

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. No development shall begin until details of the treatment for the parcel of land indicated green to the south-east of the building, including the ground levels, the finish

of the surface and whether a retaining wall would be required along the boundary with the slipway (and details thereof), have been submitted to and agreed in writing by the Authority. The works shall then be completed in accordance with the agreed details.

Reason - In the interests of visual amenity.

5. The building hereby approved shall only be used for the storage of beach wheelchairs and associated equipment.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested to demolish an existing temporary shed and erect a permanent single storey building/store to house beach wheelchairs and retain a disabled parking space to the west of the slipway. The building/store is proposed to be constructed of rendered block work with a reinforced steel flat roof. The south-west elevation is proposed to have a decorative applied logo, similar to the existing. The disabled parking space has been created on an existing tarmacked parking area by painting white and yellow lines to designate the bay a disabled parking space.

The application site relates to a parcel of land adjacent to the top of the slipway onto the beach at Pembroke. There are public car parks to the south-east and north-west and the highway, La Jaonneuse Road, to the south-west. There is a single storey timber hut in the car park to the south-east which is used as a beach kiosk. The site is in the L'Ancrese Site of Special Significance and is Outside of the Centres as defined in the Island Development Plan.

Relevant History:

19/08/2020 – FULL/2020/1114 – Permission granted to install shed and create parking space to west of slipway. Permission granted for a limited period of 3 years expiring on the 19th August 2023.

Existing Use(s):

Public amenity land/grass verge

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:

Policy OC9: Leisure and Recreation Outside of the Centres

Policy GP1: Landscape Character and Open Land

Policy GP2: Sites of Special Significance

Policy GP8: Design

Policy GP9: Sustainable Development

Conclusion/Brief comment:

Planning permission was granted to erect a shed to store beach wheelchairs in August 2020 for a temporary period of 3 years. As part of the previous application the principle of the development was accepted on the basis that it would enhance access to coastal areas for the mobility impaired. However, there were concerns about the design and impact of the development on the appearance and character of the area and in particular the use of a GRP enclosure, and the robustness and durability of the structure.

This current application seeks a permanent solution in the form of a single storey rendered blockwork building with a reinforced steel flat roof on the same footprint as the existing. The revised design and the materials proposed would result in a more durable and longer lasting building. The building would be situated against a concrete wall and would be viewed in context with the existing beach kiosk to the south-east of the slipway and the car parks to the south-east and north-west. Together with its modest size, the building would have no significant adverse effects on the openness of the area. An area of land immediately to the south-east of the building currently comprises of a concrete ramp which was constructed as part of the existing temporary shed. The proposed plans indicate this area to be returned to a grassed area which would enhance the appearance of the area. However, it is unclear how this area would be constructed, such as the ground levels, the finish of the surface and whether a retaining wall would be required along the boundary with the slipway. Precise details of the treatment and construction of this area can be dealt with by condition.

The application site is situated within the L'Ancrese Site of Special Significance. By virtue of its modest size and its location on a small parcel of land which is largely hard surfaced and is adjacent to public car parks and the public highway, the proposal amounts to a minor development which would have no adverse impact on the special interest of the Site of Special Significance, in accordance with Policy GP2.

Overall, the building is proportionate to the nature and scale of the associated informal leisure and recreation use and the built development can be mitigated to respect the character of the locality. The proposal accords with Policies OC9, GP1 and GP8.

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.

It is recommended that the application is approved with conditions.

Recommendation:

Grant with Conditions



Date: 13/12/2023