

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: Repair works to water pump (Protected Monument).

LOCATION: Parish Pump, 13 Park Street, St. Peter Port.

APPLICANT: Constables Of St. Peter Port

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: 02/07/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 17/05/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: 3772- SV02- Block and Location Plan
Covering letter dated 23/02/2024 and Typical repair works dated 3/11/2023

Application Ref: FULL/2024/0884

Property Ref: A406140000

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.Following opening up works and prior to any replacements being undertaken, details of the extent, method, material and appearance of replacement of timberwork and lead/metalwork shall be submitted to and agreed in writing by the Authority.

Reason - To make sure the works respect the special character of this protected monument, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

Expiry Date: This permission will cease to have effect on 02/07/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Following opening up works, should it be found that additional alterations/repairs are required to the pump mechanism, further discussion and agreement must be had with the Authority.

Should it be proposed to replace an element of a pump casing using any timber other than Accoya or Utile hardwood (e.g. marine grade plywood, as intimated in the Typical Repair Works document submitted with the application), further discussion and agreement must be had with the Authority.

Reference is made in the Typical Repair Works to reinstatement of a cork/leather pad where the metal collar survives, which seems to be the case in this instance yet it is not specified in the Proposed Repair Works set out in the application letter dated 03/11/23. Reinstatement of the cork/leather pad would be supported.

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/2024/0884
Property Ref: A406140000
Valid date: 17/05/2024
Location: Parish Pump 13 Park Street St. Peter Port Guernsey GY1 1EE
Proposal: Repair works to water pump (Protected Monument).

Applicant: Constables Of St. Peter Port

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. Following opening up works and prior to any replacements being undertaken, details of the extent, method, material and appearance of replacement of timberwork and lead/metalwork shall be submitted to and agreed in writing by the Authority.

Reason - To make sure the works respect the special character of this protected monument, as required by Section 34 of The Land Planning and Development (Guernsey) Law, 2005.

INFORMATIVES

Following opening up works, should it be found that additional alterations/repairs are required to the pump mechanism, further discussion and agreement must be had with the Authority.

Should it be proposed to replace an element of a pump casing using any timber other than Accoya or Utile hardwood (e.g. marine grade plywood, as intimated in the Typical Repair Works document submitted with the application), further discussion and agreement must be had with the Authority.

Reference is made in the Typical Repair Works to reinstatement of a cork/leather pad where the metal collar survives, which seems to be the case in this instance yet it is not specified in the Proposed Repair Works set out in the application letter dated 03/11/23. Reinstatement of the cork/leather pad would be supported.

OFFICER'S REPORT

Brief Description of the site:

Outside of the property called 'Westgate', 13 Park Street, is an old water pump, which was last refurbished around 2009. The pump is situated thin edge against the property, with the handle on the opposite thin side near the pavement. Directly to the north is a door to the adjacent property and directly south is the front 'garden' of Westgate. The property is located in the St Peter Port Main and Conservation Area as defined in the Island Development Plan. The pump is a Protected Monument.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Unknown – nonfunctioning water pump

Assessment: *(Tick as appropriate)*

no representation

☒

accords with policy

☒

within curtilage

☒

visual amenity acceptable

☒

no material neighbour impact

☒

traffic not affected

☒

design acceptable

☒

Policies considered most relevant:

GP6: Protected Monuments

GP8: design

Representations:

There has been one letter of representation and the issues are;

- I live at 11 Park Street, next door to 13 Park Street and the water pump is right next to our doorway which accesses my property. The doorway is in constant use. Any repair works that are undertaken **must not** obstruct my or my family's access to that doorway. Please ensure that the Applicant, its architect and its contractor are made fully aware of the contents of this letter.

Conclusion/Brief comment:

This application is for repair works to the water pump, protected monument.

The temporary removal of the pump for its repair and reinstatement would enhance appreciation of the protected monument by the public. There would be no adverse effect on the special interest of the protected monument and the proposal complies with policy GP6.

The alterations would enhance the special character, historic interest and appearance of the Conservation Area and therefore the proposals are considered to comply with policy GP4 as well.

The pump is to be removed and restored off site, and the submitted information states that the site will be made safe whilst the pump is being refurbished, thus the concerns about not being able to use the adjacent doorway have been mitigated.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions and informatives.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions

☒

Date: 02/07/2024

