

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: Permanent retention of shed (Retrospective).

LOCATION: The Little Chapel Les Vauxbelets College Complex, Le Bouillon, St. Andrew.

APPLICANT: The Little Chapel Foundation

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: 04/07/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 03/06/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Layout Plan & Lovell Ozanne drawing no. AA11-10364-A1-03 (Details of Shed)

Application Ref: FULL/2024/0915

Property Ref: K00484B000

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.a) Within three months of the date of this permission a management/maintenance plan for the shed hereby approved, to be retained on a permanent basis, shall be submitted to and agreed in by the Authority. The agreed maintenance/management plan shall then be fully implemented at all times thereafter.

b) Within six months of the date when use of the shed, for ancillary storage associated with the Little Chapel ceases, or such other period previously agreed in writing by the Authority, the shed hereby permitted shall be removed from the site and the land reinstated to its former condition within one year of the shed being removed from the site, or such other period as may be agreed beforehand in writing by the Authority.

Reason - To ensure that the shed is properly maintained in future so as to manage the impact of the development on the character and appearance of the locality and given its setting and relationship with this site of interest.

5.The shed shall be finished with a dark brown stain/paint only.

Reason - To reduce the impact of the shed on the character and appearance of the rural environment.

6.This permisison does not confer any approval for external storage of materials or equipment outside the shed hereby approved. All external storage to either side of the approved shed shall be removed and the land reinstated to its former condition within two months of the date of this permission.

Reason - For the avoidance of doubt, to manage the impact of the development on the character and appearance of the locality and given its setting and relationship with this site of interest.

Expiry Date: This permission will cease to have effect on 04/07/2027 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/2024/0915
Property Ref: K00484B000
Valid date: 03/06/2024
Location: The Little Chapel Les Vauxbelets College Complex Le Bouillon
St. Andrew Guernsey GY6 8XY
Proposal: Permanent retention of shed (Retrospective).

Applicant: The Little Chapel Foundation

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. a) Within three months of the date of this permission a management/maintenance plan for the shed hereby approved, to be retained on a permanent basis, shall be

submitted to and agreed in by the Authority. The agreed maintenance/management plan shall then be fully implemented at all times thereafter.

b) Within six months of the date when use of the shed, for ancillary storage associated with the Little Chapel ceases, or such other period previously agreed in writing by the Authority, the shed hereby permitted shall be removed from the site and the land reinstated to its former condition within one year of the shed being removed from the site, or such other period as may be agreed beforehand in writing by the Authority.

Reason - To ensure that the shed is properly maintained in future so as to manage the impact of the development on the character and appearance of the locality and given its setting and relationship with this site of interest.

5. The shed shall be finished with a dark brown stain/paint only.

Reason - To reduce the impact of the shed on the character and appearance of the rural environment.

6. This permisison does not confer any approval for external storage of materials or equipment outside the shed hereby approved. All external storage to either side of the approved shed shall be removed and the land reinstated to its former condition within two months of the date of this permission.

Reason - For the avoidance of doubt, to manage the impact of the development on the character and appearance of the locality and given its setting and relationship with this site of interest.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is sought for the permanent siting of a storage shed situated to the north of the chapel, used as a site hut and material/tools store in connection with the ongoing restoration of the Little Chapel site. The shed is already in situ given that temporary permission has been given previously for it to be located on site. External storage currently takes place to either side of the shed.

The shed is used by craftsmen and volunteers and the submission highlights reference to permission having been given for two interlinked sheds further from the chapel but indicates that this was not supported by the adjacent school and highlighting concerns about the more remote siting of a shed. With regard to the previous excavation for this shed it is noted that the land has now recovered and that further planting has been undertaken (as per planning conditions). Debris is

currently being removed from adjacent to the shed so that the shed can be properly maintained.

The site is located within an Agriculture Priority Area and Outside of the Centres as designated in the Island Development Plan. The area does not have any specific designations in the Island Development Plan in relation to its visual quality.

Relevant History:

FULL/2019/1215 – Erect timber storage shed to north of site (retrospective).
Approved – 06/08/2019 with a condition: *The shed, hereby approved, shall be removed from its current location no later than 2 years from the date of this decision and the land shall be returned to its former state. (05/08/2021)*

FULL/2021/1682 - Retain existing shed for a temporary period of one year – granted

FULL/2023/0875 - Retain existing shed for a temporary period of one year (retrospective) – granted

Existing Use(s):

Tourist attraction – Little Chapel

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:

OC5(A): Agriculture Outside of the Centres – within the Agriculture Priority Areas (APAs)

OC9: Leisure and Recreation Outside of the Centres

GP1: Landscape Character and Open Land

GP8: Design

Conclusion/Brief comment:

Although the applicant previously indicated that the shed would be in its current location for a temporary period whilst large scale restoration work to the site is on-going, after which it would be relocated to a less prominent location on the site and the land would be returned to its former state, as noted above and through the submission, this is no longer the case.

The original application report stated that the temporary need for the shed “*greatly alter[ed] the consideration of the proposal, and a condition on any approval requiring the sheds removal and the land to be returned to its former state would be necessary to ensure the shed does not become a permanent feature in this location.*” The limited size of the structure and its timber appearance were also influencing factors to allowing the temporary erection/retention of the shed. Nonetheless, the passage of time has enabled this modest size shed to ‘bed in’ to the landscape and become a less intrusive feature than it was back in 2019 (5 years ago). The application sets out that weatherproofing/staining will be carried out in due course and it would be reasonable to require the finish to be dark brown (given that a wide variety of colour shades are available for timber staining/weather proofing, in order to ensure that the shed remains unobtrusive in the landscape.

The Little Chapel site falls under the definition of informal leisure and recreation uses, and proposals to extend, alter or redevelop existing uses Outside of the Centres will be supported providing that any ancillary built development is proportionate to the nature and scale of the use, the visual impact of ancillary built development can be mitigated to respect the character of the locality and the site does not fall within an Agricultural Priority Area, or where it does the land could not positively contribute to commercial agriculture without adverse environmental impacts.

The shed has been erected to the north of the Little Chapel in an area surrounded by vegetation and a large bank of earth. This has resulted in a section of the bank and vegetation being removed, however the vegetation is general shrubbery and the bank is not a valuable feature within the area, it exists in the centre of the site and has the appearance of loose ground that has been piled up, with vegetation growing on it which has now reestablished/matured given that the shed has been in place for a number of years.

Large trees and the vegetation surrounding the shed obstruct visibility of the shed in any long distance views or views of the Little Chapel and the shed does not result in an adverse effect to the character of the wider landscape, or to the character of the Chapel. The shed does effect the character of the area immediately surrounding its location, which is an access path between the Chapel and the nearby, currently vacant, retail property that is shrouded in vegetation. However the area does not contribute to the openness of the adjacent field due to the vegetation, and it does not contribute to the character of the chapel since it cannot be seen from the location. Therefore the effects of the shed on the visual amenity and character of the area are localised to a small area.

The site does not currently benefit from any storage facilities or means of shelter for people maintaining the site, and it is considered that it is reasonable to have such facilities, which assist with the ongoing maintenance of this important site.

On the above basis, the permanent retention of the shed would not result in a detrimental effect to the character or appearance of the area and conforms to the

objectives of all relevant policies subject to conditions. An appropriate condition in this case relates to the need for a maintenance plan for the structure in order to ensure that it is retained in good condition with regular maintenance/painting etc. A shed allowed to fall into disrepair would be harmful to the character and appearance of the locality and when considering the importance of the adjoining Little Chapel. It is also reasonable to require the shed to be removed from the site when no longer required for storage associated with the Little Chapel.

The shed is not located such that it could result in any detrimental effects to the amenity of neighbouring properties.

The site is located within an Agricultural Priority Area, however the site could not be used for commercial agriculture due to the existing nature of the site, and the location of the shed would not prevent the adjacent field from being used for agricultural purposes.

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.

It is also reasonable to clarified the recognised use of the shed, which is an ancillary storage shed associated with the Little Chapel, a leisure and recreation use.

It is noted that external storage has been carried out to either side of the shed, reference is made in the submission to the removal of debris, and it is reasonable to impose a condition precluding external storage and requiring external storage to cease within a specified timeframe. This is necessary having regard to the important nature of the site and the wider landscape.

Recommendation:

Grant with Conditions



Date: 03/07/2024

