

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: Erect covered sports court with first floor balcony area attached to Colbourne Building, erect single storey building (tuck shop), erect fencing, gates and associated works (Protected Building).

LOCATION: Elizabeth College, Grange Road, St. Peter Port.

APPLICANT: The Bursar

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: 25/02/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/01/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DLM Architects: 1242_13, _14, _15, _16, _17, _18, _19, _20, _21, _22, _23, _24, _25, _26, _27, _28, _29, _30, _31, _32, _33 and _40

Application Ref: FULL/2025/0045

Property Ref: A114400000

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 perspex cladding to be used on the exterior of the building shall be placed on the site until such time as samples of that material have been submitted to the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the development.

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

Expiry Date: This permission will cease to have effect on 25/02/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Please note that due to the open walls of the amphitheatre, any functions, events or movie nights or similar that utilise a speaker system will require a PA permit issued by the OEHPR under the Noise Abatement Ordinance 1962 (as amended).

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/2025/0045
Property Ref: A114400000
Valid date: 09/01/2025
Location: Elizabeth College Grange Road St. Peter Port Guernsey
GY1 2PY
Proposal: Erect covered sports court with first floor balcony area
attached to Colbourne Building, erect single storey building
(tuck shop), erect fencing, gates and associated works
(Protected Building).
Applicant: The Bursar

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 perspex cladding to be used on the exterior of the building shall be placed on the site until such time as samples of that material have been submitted to the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the development.

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

INFORMATIVES

Please note that due to the open walls of the amphitheatre, any functions, events or movie nights or similar that utilise a speaker system will require a PA permit issued by the OEHPR under the Noise Abatement Ordinance 1962 (as amended).

OFFICER'S REPORT

Brief Description of the site:

The application site comprises an area within the grounds of Elizabeth College, north of the two/three storey Colborne building, west of the art block. The sports hall, a substantial building with hipped roof, is situated to the west.

Surrounding the site the area comprises a mixture of uses and a mixture of building types style and design.

The site is situated within the Main Centre and Conservation Area as designated in the Island Development Plan.

The area which forms the subject of the application is not itself protected, but it is situated within the grounds of a protected building and the roadside railing, main gates and Porters Lodge are protected.

Relevant History:

None relevant.

Existing Use(s):

School building and grounds

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:

- MC3 Social and Community Facilities in Main Centres and Main Centre Outer Areas
- GP4 Conservation Areas
- GP5 Protected Buildings
- GP8 Design
- GP9 Sustainable development

Consultation:

Office of Environmental Health and Pollution Regulation – raised concerns regarding the information contained in section G) of the Proposed Plans and Survey Plans which set out that the development is flexible and adaptable and how the proposed development can have a multitude of uses (concerts, markets, performances, movie nights). Such activities fall outside the typical use of a school facility and times. This coupled with the open amphitheatre like walls could cause noise nuisance to local residents. Especially with the use of speakers or PA systems for these functions or activities. Further information was requested regarding the use of development and the times of these activities and functions and how regularly they will take place.

Commented on the further information provided:

I have reviewed the proposed plans for Elizabeth College which were received by email on 17th January 2025 and the email of further information dated 6th February 2025 17:27. I understand that section G of the application was purely to highlight versatility of the development and these activities and functions are not intended as regular use after school hours. As such, I would like to add an advisory note that due to the open walls of the amphitheatre, any functions, events or movie nights or similar that utilise a speaker system will require a PA permit issued by the OEHPR under the Noise Abatement Ordinance 1962 (as amended).

Conclusion/Brief comment:

The application relates to the erection of a covered sports court, two-storeys in height with associated single-storey element incorporating decked terrace above to provide a covered seating area below. Solar panels are proposed to the roof of the main covered court area. The area incorporates timber screen fencing, gates and

railings. A detached, single-storey building to be used as a tuck shop is also proposed.

Further information was provided by the agent setting out that although the building has been designed to be flexible and offer potential for other uses the brief from the school is that the primary use of the space will be for sports, exercise and play during the school day. Confirmation has been provided that there is no audio or PA systems proposed and the suggested additional uses are not something the school has plans to undertake. Reference was made to the significant distance to residential properties with predominantly school buildings enclosing the pool area. The agent has indicated that a condition relating to non-permanent PA systems, timings of other uses may be acceptable.

The proposed works are situated on an enclosed part of the site with buildings surrounding the proposed sports court, so with limited views from the adjoining roads and public vantage points given the location of existing buildings on the site.

IDP policies GP4 and GP8 do not seek to restrict the architectural style of new development in Conservation Areas, instead making clear that, providing the scale, mass, detail and special interest of the surrounding built form has been considered, and that a particularly high standard of design is achieved, then either contemporary or traditional design approaches that respect and complement the character of the surrounding area may be appropriate.

In this case, the scheme relates to a contemporary, flat roof structure with Perspex used at the upper level to provide natural light to the space but using a material suitable for the active sports use (avoiding broken glass). Contemporary materials are also proposed for the ancillary elements of the proposed development such as fencing and gates and the timber clad exterior of the proposed tuck shop. A green roof is also proposed to the roof of the tuck shop. The scheme represents a high standard of design that will preserve the character and appearance of the Conservation Area. On the whole, the drawings include sufficient detail relating to the external materials however, the quality/appearance of Perspex proposed to be used is not clear from the submission and so this matter should be managed by planning condition. With regard to the roof of the tuck shop whilst the green roof will contribute to the overall design quality of the building it is not essential to make this aspect of the development acceptable, it is also situated within the site and away from public view points. It is not considered reasonable therefore, to require the green roof to be retained in perpetuity. The roof planting and management is therefore a matter that will be left to the applicant/developer.

The location of the development is set away from the protected building on the site and will not have a detrimental impact on its setting. The structure will also not result in harm to the amenities of residential neighbours given the position of the building well away from any site boundaries.

Confirmation has been received that the proposed development has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9. Solar panels are noted on the drawings but they are indicated in the supporting information as a possible phased part of the development. Overall, the current design/construction methods proposed the scheme meets with the aims of GP9. Whilst the solar panels would enhance this contribution, given the indication that this may be a phased element of the build, it is not considered reasonable or necessary to require the solar panels to be installed by way of planning condition.

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.

In view of the above it is recommended permission is granted.

Recommendation:

Grant with Conditions



Date: 24/02/2025

