

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: Raise and alter ground levels to north of site (part-retrospective).

LOCATION: Guernsey Football Association, Victoria Avenue, St. Sampson.

APPLICANT: JW Rihoy & Son 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: 27/03/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 21/01/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners Ltd. - H8-10671-S1-99/G, 303, 304, & Ecological Assessment Report

Application Ref: FULL/2025/0114

Property Ref: B012770000

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.Prior to the seeding of the bunds hereby approved, the following details shall be submitted to and agreed in writing by the Authority:

- i) details of the grass mix to be used on the bunds; and
- ii) details of additional planting to the north-west corner of the site, including planting schedules, noting the species, sizes, numbers and densities of plants.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings, and to provide protection to the adjacent Site of Special Significance.

5.The bunds hereby approved shall be seeded in accordance with the details agreed under the above condition, in the first planting season following completion of each bund.

Reason - To make sure that the appearance of the completed development is satisfactory, to help assimilate the development into its surroundings, and to maintain the special interest of the adjacent Site of Special Significance.

6.The tree planting to be undertaken along the west and east site boundaries shall be fully completed, in accordance with the details agreed on Drawing No U86-10051-S1-114/A under application reference FULL/2018/0711, the details agreed under the above condition, and the Ecological Assessment submitted as part of this application, by the 30 November 2025. 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 the appearance of the completed development is satisfactory, to help assimilate the development into its surroundings and to provide

protection to the adjacent Site of Special Significance.

7. The landscaping approved as part of this application shall be maintained in accordance with the details set out within the Ecological Assessment submitted as part of this application.

Reason - To make sure that the appearance of the completed development is satisfactory, to help assimilate the development into its surroundings, and to maintain the special interest of the adjacent Site of Special Significance.

Expiry Date: This permission will cease to have effect on 26/03/2028 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/2025/0114
Property Ref: B012770000
Valid date: 21/01/2025
Location: Guernsey Football Association Victoria Avenue St. Sampson
Guernsey GY2 4BB
Proposal: Raise and alter ground levels to north of site (part-retrospective).
Applicant: JW Rihoy & Son 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 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. Prior to the seeding of the bunds hereby approved, the following details shall be submitted to and agreed in writing by the Authority:

- i) details of the grass mix to be used on the bunds; and
- ii) details of additional planting to the north-west corner of the site, including planting schedules, noting the species, sizes, numbers and densities of plants.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings, and to provide protection to the adjacent Site of Special Significance.

5. The bunds hereby approved shall be seeded in accordance with the details agreed under the above condition, in the first planting season following completion of each bund.

Reason - To make sure that the appearance of the completed development is satisfactory, to help assimilate the development into its surroundings, and to maintain the special interest of the adjacent Site of Special Significance.

6. The tree planting to be undertaken along the west and east site boundaries shall be fully completed, in accordance with the details agreed on Drawing No U86-10051-S1-114/A under application reference FULL/2018/0711, the details agreed under the above condition, and the Ecological Assessment submitted as part of this application, by the 30 November 2025. 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.

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7. The landscaping approved as part of this application shall be maintained in accordance with the details set out within the Ecological Assessment submitted as part of this application.

Reason - To make sure that the appearance of the completed development is satisfactory, to help assimilate the development into its surroundings, and to maintain the special interest of the adjacent Site of Special Significance.

OFFICER'S REPORT

Site Description:

The site known as the 'Guernsey Football Association Victoria Avenue football pitch' is located on the north side of Victoria Avenue and previously approved development to the south of the site is approaching completion. The permission for development at the site included the creation of a training pitch on the land to the north of the main pitch, initially in 3G, subsequently amended to a turf finish.

To the southeast are residential dwellings, to the east and north-east is open agricultural land falling within an Agriculture Priority Area, to the north, northwest and across the road to the south is open land designated as Sites of Special Significance and to the southwest is the Go Cart track and a further football field.

The site extends to some 2.2 Ha in area, the northern half of which is located within a flood risk area. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2018/0711 Construct football club facilities buildings, spectator stands and associated structures, construct 3G football pitch, install floodlights, erect fencing and create new vehicular and pedestrian accesses. Approved 04/04/2019

FULL/2021/2430 Variation of condition 4 to FULL/2018/0711 to enable more intensive usage of the main football pitch. Approved 04/01/2022

FULL/2022/1087 Erection of 4 illuminated score boards and illuminated pitch side advertising boards. Approved 06/09/2022

FULL/2024/1155 Install air conditioning/chiller units to west elevation of Club House and install roof cowls/vents to Club House and Changing Rooms. Approved 29/08/2024

FULL/2024/1277 Variations to plans previously approved for erection of 4 illuminated score boards and illuminated pitch side advertising boards - Omit 3 score boards, re-position score board to west of site and erect fencing. Approved 23/10/2024

FULL/2024/1429 Install pumping station kiosk to south of site. Approved 20/09/2024

FULL/2024/1432 Install exterior, illuminated welcome/advertising screen to south elevation of changing room block. Approved 20/09/2024

FULL/2024/1434 Pruning of trees, remove existing and erect replacement fence to west boundary (border to Site of Special Significance). Approved 22/11/2024

FULL/2024/1641 Install exterior, illuminated welcome/advertising screen to south elevation of club house. Approved 28/10/2024

FULL/2024/1730 Install secondary substation with GRP enclosure to west boundary. Approved 26/11/2024

FULL/2024/1905 Install satellite dish and aerial to west elevation of club house. Approved 20/12/2024

FULL/2024/2057 Erect 2 sheds to west and east boundaries. Approved 15/01/2025

Existing Use(s):

Public amenity use class 21: sport or fitness.

Brief Description of Development:

Permission is sought under this application to increase the land levels to the north of the site, by approximately 1m over the area of the previously approved training pitch and forming earth bunds around the perimeter of the site, varying between 1-3.2m in height. The raising and seeding of the pitch has been completed and the bunds are currently under construction.

The land raising has been undertaken utilising surplus soil from elsewhere on the site and planting would be undertaken on the completed bunds.

An Ecological Assessment has been provided by Environment Guernsey.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

OC9 – Leisure and Recreation Outside of the Centres

GP1 – Landscape Character and Open Land

GP2 – Sites of Special Significance

GP8 – Design

GP9 – Sustainable Development

Representations:

None received.

Consultations:

The Office for Environmental Health and Pollution Regulation identify no issues of concern, noting the Guernsey Football Association have confirmed no soil will be imported and the soil for the mounds has come from the site itself. As such, there would be no concerns regarding the introduction of contaminated soil to the site.

La Societe Guernesiaise comment as follows:

Our committee notes that Environment Guernsey has been commissioned to provide an assessment of the proposals and has made recommendations with the aim of mitigating the anticipated impacts of the works. Having considered that report, we are satisfied that the impacts should be adequately addressed by means of the new earth bunds and associated planting of trees and shrubs within the site.

We would highlight that the planting season for bare-root stock typically ends in three weeks (around the end of February), and would recommend the planting be completed in the very near future. Delaying planting until next winter (2025-2026) may be to the detriment of the adjoining SSS.

Agriculture, Countryside and Land Management Services comment as follows:

We are writing in response to your consultation letter dated 3rd February 2025 regarding the submitted application to raise and alter ground levels at the Guernsey Football Association's site at Victoria Avenue, St Sampson.

We note that the area is currently classified as amenity grassland and that the soil used for the raising of ground levels has been excavated from within the site itself, therefore the works are unlikely to negatively affect the current ecological value of the site itself.

However, the impacts of the work are likely to extend beyond the boundary of the site which we note is bordered by the St Sampson's Marais & Chateau des Marais Site of Special Significance (SSS). The application should ensure that there is no net loss in special interest of the SSS under policy GP2 of the Island Development Plan.

We welcome the provision of an Environmental Statement and agree with the mitigation measures suggested within it to minimise environmental impacts to the SSS. However, we note that these measures have not been formally included within the plans submitted by the Applicant. For example, the species of tree to be planted on the bunds has not been specified within the submitted landscaping scheme. To align with Environment Guernsey's recommendations, it should be ensured that these are native trees so not to introduce non-native species at the border of a SSS. Should the Authority approve this application, we recommend that the mitigation measures are included within a suitably worded condition to ensure that the work is compliant with GP2.

Such mitigation measures are –

“WORKS PHASE -

- Create (previously approved) west bund towards NW corner as space allows*
- Sow west bund with conservation grass mix*
- Plant bare-root stock of native tree and shrubs on and around bunds in season (Nov-Feb)*
- Ensure boundary plantings extend towards NW corner as space allows.*

RESTORATION PHASE & LONG TERM -

- Manage grassland of bunds with 2-4 cuts annually*
- Monitor planting of native trees and replace any dead specimens in following season*
- Inspect north and east ditches regularly for pollution or silting (eg quarterly)”*

Summary of Issues:

Impact on openness and landscape character;

Impact on neighbour amenity;

Impact on biodiversity and adjacent Site of Special Significance.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

The use of the north part of the site as a training pitch is established and formed part of the permission for redevelopment of the site granted under FULL/2018/0711.

The alterations to the ground level of the pitch and formation of perimeter bunds as now proposed would not have any adverse impacts on the openness or landscape character of the area, and the proposed bunds would provide additional screening and buffering to the training pitch, mitigating any potential disturbance beyond the site boundaries.

As set out in the Consultation responses above, the land has been maintained as Amenity Grassland, having regard to the 2018 Habitat Survey, and is of low biodiversity value. The alterations of the ground levels would not therefore have significant impacts on biodiversity.

The site abuts a Site of Special Significance to the north and west and there is potential for the alterations to impact on the special interest of that land. The Ecological Assessment notes that no increased drainage impacts are anticipated as a result of the works, and notes that all drainage that has been installed as part of the

development drains to the east, away from the SSS. The Assessment also sets out proposed mitigation measures to minimise any other impacts on the adjacent SSS, including implementation of the planting scheme as approved on Drawing No U86-10051-S1-114/A under FULL/2018/0711. Given that this landscaping scheme is not replicated as part of the current submission, the application has been treated as a variation to FULL/2018/0711, enabling implementation of the approved landscaping scheme to form a condition of the current application. The other mitigation measures proposed are not translated onto the submitted plans, and it is therefore recommended that the Ecological Assessment forms an approved document and, for the avoidance of doubt, that the following conditions are applied to any decision issued:

- Details of additional planting to the north-west corner of the site;
- Details of grass to be sown to the bunds (with conservation grass mix to be used wherever possible and, in particular, on Bund A, adjacent to the SSS);
- Management to be undertaken in accordance with the Ecological Assessment.

In respect of the implementation of the landscaping scheme, as noted within the Ecological Assessment and by La Societe Guernesiaise, the planting season for bare root stock ended in February. Whilst it would be recommended that any planting be undertaken as soon as possible to provide a robust buffer to the adjacent SSS, it would be unreasonable to condition the planting to be undertaken outside of this planting season and it is therefore recommended that implementation of the planting is required within one month of the start of the next planting season for such stock, by the 30 November 2025.

Given that the bunds are currently under construction, it is not considered necessary to require construction of these elements within a certain timeframe.

Subject to the conditions set out above, the proposal is considered to accord with the purpose of the Law, material considerations and relevant planning policies and approval is recommended.

Date: 27/03/2025