

DEVELOPMENT & PLANNING AUTHORITY

NOTICE OF OPEN PLANNING MEETING

An Open Planning Meeting will be held at Sir Charles Frossard House, Port Soif Meeting Room, on **Friday 11 December 2020 starting at 15:15hrs.**

The following applications will be considered at the Open Planning Meeting:-

APPLICATION NUMBER:	FULL/2020/1563
APPLICATION ADDRESS:	Grow Ltd Les Petits Quartiers Coutanchez St. Sampson
DESCRIPTION OF WORK:	Demolish glasshouses and outbuildings, erect replacement glasshouses and 1 & 2 storey buildings, create new and alter existing vehicular access and create parking area.
NAME OF APPLICANT:	Grow Ltd

APPLICATION NUMBER:	FULL/2020/2190
APPLICATION ADDRESS:	Les Talbots Cottage Route Des Talbots Castel
DESCRIPTION OF WORK:	Erect garden building to north-west of dwelling, raise wall height, form steps and install glass balustrade.
NAME OF APPLICANT:	Miss C Barrett

The agenda for the open planning meeting, along with the planning application reports relating to the above applications, are made available five working days before the date of the Open Planning Meeting on the States' website. The planning application report contains a summary of any consultation responses and of any representations received on the application from third parties.

There will be provision for **public speaking** at the open planning meeting. The opportunity to speak is afforded only to persons who:

a) have submitted a representation in writing within the period specified for publicity of the application under section 10 of the Land Planning and Development (General Provisions) Ordinance, 2007, along with the applicant and/or their agent for the application; and

b) who have notified the Planning Service in writing (by letter or by e-mail addressed to Planning@gov.gg) of their intention to speak which is received by the Planning Service by 12:00 Noon two working days prior to the date of the Open Planning Meeting (i.e. **by 12:00 Noon on Wednesday 9th December for the OPM held on Friday 11th December**).



PLANNING APPLICATION REPORT

Application No: FULL/2020/1563
Property Ref: B01361B000
Valid date: 28/08/2020
Location: Grow Ltd Les Petits Quartiers Coutanchez St. Sampson Guernsey GY2 4GE
Proposal: Demolish glasshouses and outbuildings, erect replacement glasshouses and 1 & 2 storey buildings, create new and alter existing vehicular access and create parking area.
Applicant: Grow Ltd

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 materials to be used on the exterior of the buildings shall be placed on the site until such time as a written schedule and samples of those materials have been submitted to the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the

development.

Reason - To secure the satisfactory appearance of the completed development.

5. No development, excluding demolition and site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Authority:

- i) the treatment proposed for all ground surfaces, including hard areas;
- ii) full details of tree and hedge planting and earth bank construction;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants;
- iv) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

6. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. 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 and to help assimilate the development into its surroundings.

7. No development, including site works, shall begin until a scheme showing the provision to be made for the parking of staff, Crew and visitor cycles, under cover and secure, has been submitted to and agreed in writing by the Authority, and no part of the building or development hereby permitted shall be used or occupied until the agreed scheme has been fully implemented. The provision for cycles shall not be used for any other purpose.

Reason - To encourage the use of bicycles as an alternative to the car.

8. The cafe hereby permitted is a training facility and shall not be opened to the public on any other basis than that set out in the information submitted in support of this application.

Reason - New retail development is precluded Outside of the Centres.

9. No work to create the bus lay-by hereby permitted shall begin on site until details of the lamp post to be relocated have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of this aspect of the development.

INFORMATIVES

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The buildings are of a type and located in an area where bats and birds may be roosting and nesting and measures may therefore need to be taken (including consideration of the timing of the works) to ensure that any protected species present are not impacted by the works. It is recommended that you contact La Société Guernesaise for advice or to arrange a site visit. La Société can be contacted on 07781 166924 or email societe@cwgsy.net.

For the avoidance of doubt, this decision authorises the offices hereby permitted to be used only as ancillary or ordinarily incidental to the authorised use of the premises, and does not authorise any separate office use.

OFFICER'S REPORT

Site Description:

The application site comprises a former commercial vinery, which has been utilised by Grow Ltd for charitable purposes since the early 1980s. The site is accessed on its south boundary from Verte Rue, a one-way lane, and is located Outside of the Centres and is the subject of no other designation under the Island Development Plan. The site adjoins residential properties to the north, east and west.

Relevant History:

A Certificate of Lawful Use (CLU) application has recently been granted under reference CLU/2020/0229 which confirms the following as the lawful use of the site:

Use of land and buildings to administer and provide horticultural and other training and supported employment for up to 30 disabled people at any one time, for the production and sale of plants, produce, compost and other growing media, the manufacture, repair or refurbishment, and sale of wooden and metal items, garden furniture, planters and ornaments, the manufacture and sale of seasonal items, and the operation of a grounds and garden maintenance business.

Existing Use(s):

Sui Generis mixed use as described above.

Brief Description of Development:

This application proposes the wholesale redevelopment of the existing site in order to provide modern, fit-for-purpose accommodation to enable the established, lawful use of the site to continue to meet the needs of Grow Ltd's users (referred to as their 'Crew') and the wider Island community. All of the existing buildings, glasshouses and other structures, with the exception of the majority of the most modern glasshouse at the western end of

the site and a concrete water tower, will be demolished and replaced, whilst alterations will also be carried out to improve vehicular access and parking arrangements within the site. It is also proposed to alter the existing roadside earth banks in the south east corner of the site in order to create a bus pull-in point on La Route Des Capelles.

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

OC2 – Social and Community Facilities Outside of the Centres

GP1 – Landscape Character and Open Land

GP8 – Design

GP9 – Sustainable Development

GP10 – Comprehensive Development

IP6 – Transport Infrastructure and Support Facilities

IP7 – Private and Communal Car Parking

IP9 – Highway Safety, Accessibility and Capacity

Representations:

2 representations of support from members of the public, the only concerns being raised including that covered cycle parking should be provided within the proposals, and that the proposed bus lay-by would face towards living room windows and encroach on privacy.

La Societe Guernesiais have made representation, highlighting that buildings of the type proposed to be demolished can be used by roosting bats and nesting birds, and recommending that they be inspected by a suitably qualified person prior to any work being carried out to reduce the risk of disturbing animals which are protected under the Animal Welfare Ordinance, 2012.

The Committee for Health & Social Care

The Committee for Health & Social Care wishes to take opportunity to offer its support for the above planning application submitted by GROW Ltd to enhance their facilities and provides the following comments:-

- In providing opportunities for islanders with learning and other disabilities, GROW contributes significantly to our community socially, and in turn has an economic value through the services that they offer;
- The Committee welcomes the steps being taken by GROW to identify how their services can evolve to best support islanders and, where appropriate, support their entry into the workplace by providing a wide range of gender-equal opportunities through expanded facilities. In particular, the Committee welcomes the steps being taken to support islanders in gaining retail and hospitality skills through a demonstration café, recognising the positive impact that such a supportive, training environment may have in helping individuals enter the employment market;
- GROW fulfils an important role locally by providing opportunities for those with learning disabilities or autism who may not be in a position to utilise services within the Guernsey Employment Trust- as they may need longer term support than the six week employment support available through GET recognising that many people with learning disabilities or autism may need more time to feel comfortable in a new environment, develop relationships with new colleagues and

learn new skills- but who would benefit from wider opportunities that those available in Day Services;

- The Committee supports GROW's wish to continue to offer horticultural opportunities, but recognises that in order to do so, it is important that GROW can provide a safe and secure working environment. The design of traditional greenhouse facilities may not always be suitably enabling for service users, and the Committee commends the considerations within the redesign to accommodate the specific requirements of service users. The stated approach of "accessible and non-discriminatory to all, conveying equality and inclusivity at its core design and layout", is vital and something which would be difficult, if not impossible, to accommodate within their current facilities.

The Constables of St Sampson

In summary, the Constables and Douzaine offer their unanimous support, commenting that Grow Ltd is an extremely valuable resource for the community and costing the States of Guernsey very little for the services provided. They go on to note that land is to be ceded for a bus lay-by on the corner of Verte Rue where currently a badly located lamppost is situated, which tends to push north-bound traffic into the oncoming traffic, which in turn pushes south-bound traffic onto the pavement opposite where passengers wait at another bus stop to take the bus into Town.

Consultations:

Traffic and Highway Services

Informal advice received that alterations to both access arrangements and the proposed bus lay-by represent an improvement over the existing situation.

Summary of Issues:

- Principle of development
- Design and impact on the locality
- Highway safety and infrastructure improvements

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 purposes of the Land Planning and Development (Guernsey) Law, 2005, are to protect and enhance, and to facilitate the sustainable development of, the physical environment of Guernsey.

The purposes of the Law are reflected in the Island Development Plan, the principal aim of which is to help maintain and create a socially inclusive, healthy and economically strong Island, while balancing these objectives with the protection and enhancement of

Guernsey's built and natural environment and the need to use land wisely. Relevant policies will be addressed below in assessing the key issues.

Section 13 to Part IV of The Land Planning and Development (General Provisions) Ordinance, 2007, sets out a number of general material considerations, the following of which are considered to be relevant in this instance:

- (b) the character and quality of the natural and built environment which is likely to be created by the development,*
- (c) the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used,*
- (d) the likely effect of the development on the character and amenity of the locality in question,*
- (e) the likely effect of the development on roads and other infrastructure, traffic and essential services,*
- (i) the likely effect of the development on the reasonable enjoyment of neighbouring properties.*

Principle of development

The recent grant of a CLU in relation to the application site, and the fact that although not falling within any of the recognised use classes the nature of the use is such that it can readily be identified as a social and community use for the purposes of Policy OC2, means that there is a gateway under that policy to consider proposals for *"the extension, alteration and redevelopment"* of the site. This is subject to the proviso that such development will be supported *"where the proposal would not undermine the vitality of the Centres, where it would be of a scale appropriate to its setting, where there are no unacceptable impacts on the visual appearance and amenity of the location concerned, and where they accord with all the other relevant policies of the Island Development Plan."*

In this case the nature of the use, and of the opportunities that it offers to the Crew and others who utilise the facilities, is one that requires a large site with commercial-scale glasshouses, storage buildings, workshops, administrative facilities, external display and parking areas. It is clear that the nature of this use could not readily be delivered on any site within the Centres, and the fact that it has been in operation for over 30 years leads to the conclusion that it's continuation on this site through the proposed redevelopment would not undermine the vitality of the Centres in any way.

That being said, two aspects of the proposed development would go beyond what the site is currently used for, specifically the potential for the facilities building to provide office accommodation to other charities/organisations and the provision of a café.

In the case of the former, the provision of office accommodation to be occupied by unrelated charities, organisations or businesses would conflict with the provisions of policies OC2 and OC3, representing new development that should be directed towards the Centres in the first instance or otherwise delivered through the conversion of redundant buildings. However, where a related charity or organisation utilised the training or facilities offered by Grow Ltd as part of their own operation, then it is considered that this would not represent a change of use or new office development for the purposes of Policy OC3.

With regards to the proposed café, the applicant has made clear that this is intended first and foremost as a facility to enable the provision of a broader range of training opportunities than can currently be offered at the site, and which takes account of the fact that with the decline of the commercial horticultural sector Grow Ltd's original focus on horticultural training is less likely to lead to permanent employment elsewhere than was previously the case. The applicant has confirmed that the café will only be operated as a training facility by Grow itself, and not sub-let to a commercial operator in a manner which would be contrary to restrictions imposed on new retail development Outside of the Centres imposed by Policy OC4. It is considered that this can appropriately be controlled by way of condition, on which basis the retail/hospitality training component of the proposed development would not materially change the nature of the recognised use of the site.

Consideration of the scale and design of the proposed development, potential impacts on the character of the locality, and other relevant policies is set out below.

In terms of the principle of development, the application is considered to be wholly compliant with the aims and objectives of Policy OC2.

Design and impact on the locality

The existing site comprises a number of spans of glass of varying ages and physical condition, as well as a disparate collection of other buildings and structures that are predominantly single storey in nature.

The proposed redevelopment is comprehensive and would see all of the existing administrative, workshop, storage and staff/Crew facilities combined within a single 2-storey building orientated perpendicularly to Verte Rue towards the western end of the site. This building, although substantially larger and possessing a greater bulk and mass than any of the existing buildings, is nonetheless considered to appropriately reflect the horticultural character of the existing site and the generally rural nature of the surrounding landscape. The fact that this building would be set at 90 degrees to Verte Rue would help to minimise any adverse visual impact.

To the west of this building it is proposed to demolish the southernmost section of an existing glasshouse in order to reduce its length and create space for staff parking and an open-fronted garage to store/maintain work vehicles. This area will utilise an existing access onto Verte Rue, which is to be adapted and improved. This aspect of the development will not result in any significant change to the character of the site.

Within the centre of the site it is proposed to create an enhanced visitor parking area, set in front of a large replacement glasshouse, and accessed by a new 'in and out' arrangement of vehicular entrance and exits. This offers the opportunity to provide additional landscaping, which would be of benefit to the character of the locality and further minimise the visual impact of the facilities building, and is something that can reasonably be controlled by way of condition.

At the eastern end of the site it is proposed to enlarge the existing external plant display area, on the north side of which it is proposed to erect the café building. This is to be a

single storey, timber clad structure with space for 24 covers as indicated on the submitted drawings. Although this would introduce built development where none exists at present, and would be prominent in views from the south on La Route Des Capelles, in the context of the ribbon pattern of development extending to the north it is not considered that this would result in any materially significant adverse impact on the character of the locality.

Across the site it is proposed to rationalise ground levels and footpaths through and around the site in order to improve accessibility.

The development as a whole is considered to represent the good standard of design required by Policy GP8, and would have no unacceptably adverse impacts on the character of the locality of amenity of neighbouring properties.

Highway safety and infrastructure improvements

The main existing vehicular access is located c.10m from the junction of La Route Des Capelles and Verte Rue. The new vehicular access is proposed to be located c.10m further west, and would be wider with an improved radius which would enable safer access to the site.

A separate exit is to be created through demolition of a section of tall roadside granite wall, which currently limits visibility from the existing exit towards oncoming traffic. The loss of this section of wall would be offset through the construction of a replacement wall, infilling the existing exit, and the planting of hedges along the roadside boundary.

As mentioned above, an additional parking area at the western end of the site will be served by an adapted existing vehicular access, which again will represent an improvement in terms of visibility towards oncoming traffic.

On the basis of the above the application is considered to comply with the aims of Policy IP9, and would not cause unacceptable harm to the character of the area contrary to Policy GP1.

The applicant has confirmed that secure, covered cycle parking is to be provided to meet the needs of staff, Crew, and visitors, although this has not been shown on the submitted plans. As there is clearly space within the site for such to be provided, it is considered appropriate in this case to address this by way of condition.

The proposed bus lay-by would have a localised impact on landscape character through the demolition and relocation of the existing roadside earth banks, but it is considered that this is justified and acceptable in the context of enhancing the existing highway and public transport infrastructure. Any views towards or glare from bus headlights affecting the neighbouring dwelling to the north would be at distances of 30m+, and would be largely screened by the proposed retail training building. As such it is not considered that the amenity of the neighbouring dwelling would be adversely affected.

Other matters

The setting of a complex of protected buildings located some 90m to the south of Verte Rue, beyond established roadside boundary features and fields, will not be affected by the proposed development.

The increased scale and more modern nature of the proposed facilities would enable the applicant to accommodate more Crew-members in the future, should that prove necessary. It should be noted that such an increase would not require planning permission.

The proposed development is considered to meet the sustainability objectives promoted by Policy GP9.

Conclusion

It is recommended that planning permission be granted.

Date: 01-02-2020



PLANNING APPLICATION REPORT

Application No: FULL/2020/2190
Property Ref: D002760000
Valid date: 23/10/2020
Location: Les Talbots Cottage Route Des Talbots Castel Guernsey GY5 7AQ
Proposal: Erect garden building to north-west of dwelling, raise wall height, form steps and install glass balustrade.
Applicant: Miss C Barrett

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.

OFFICER'S REPORT

Brief Description of the site:

The application relates to a detached dwelling sited Outside of the Centres as defined within the Island Development Plan. The application site is surrounded by land designated as Area of Biodiversity Importance and is within an Agriculture Priority Area. The property itself has a steep terraced garden going up the valley side and has been previously extended.

Relevant History:

None relevant to this application

Existing Use(s):

Residential Use Class 1

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:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

The application is for the erection of an outbuilding to the north west of the property on a level terraced area, raising of a wall adjacent to the proposed building, creation of steps and glass balustrade and other external works including renewing of steps and the enlargement of an existing raised decked area.

The outbuilding will be used for domestic purposes and will be erected on the second terraced area of the garden above the existing raised decked area. The rear elevation of the building will abut the retaining wall of the next terraced level. To accommodate the outbuilding, works to existing retaining walls, including the increasing in height of a wall to the east adjacent to the raised patio area, the demolition and rebuilding of a further wall to the west side of the existing raised decked area and the erection of glazed balustrading is proposed.

At present, the area leading up to the proposed garden room and the terraced area beyond are only accessible via an earth slope. New concrete steps are proposed in this

area. The existing external steps leading from the conservatory level to the existing raised timber decking will be renewed and the decking area extended towards the west.

The garden room would be externally clad in western red cedar with hardwood decking to the front (south) elevation. Measuring 3.1m to 3.8m deep and 5m wide, with bi-fold doors to the south (front roadside elevation) the building will be seen from public views both from the roadway and the Ron Short National Trust walk which circles the site. However, although on higher ground when viewed from the road, the building will be set back into the site and will be seen in relation to the existing building and the domestic setting. From the public walk the building will be seen from above and from the side and would have minimal visual impact.

The location of the property and the changes in the topography means that the evident views of the structure are limited to short range views and the structure will have no impact on any nearby neighbour.

The application would accord with the above policies. A statement to satisfy Policy GP9 has been submitted as part of the application.

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.

Recommendation:

Grant with Conditions



Date: 25th November 2020