

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 extension to west elevation of agricultural building.

LOCATION: La Petite Croute Farm, Rue Des Belles, Castel.

APPLICANT: Mr R Waters

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: 15/06/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 17/09/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners Ltd: A2121-01, 05 & 06

Application Ref: FULL/2021/2081

Property Ref: D005300000

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.The building hereby approved under this permission shall be used only for the purposes of an agricultural store within Agricultural Use Class 28 of the Land Planning and Development (Use Classes) Ordinance, 2017, or in any provision equivalent to that Use Class in any Ordinance repealing or re-enacting that Ordinance, and shall not be used for any other purpose whatsoever at any time.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

Expiry Date: This permission will cease to have effect on 14/06/2025 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/2021/2081
Property Ref: D005300000
Valid date: 17/09/2021
Location: La Petite Croute Farm Rue Des Belles Castel Guernsey GY5 7AR
Proposal: Erect extension to west elevation of agricultural building.
Applicant: Mr R Waters

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. The building hereby approved under this permission shall be used only for the purposes of an agricultural store within Agricultural Use Class 28 of the Land

Planning and Development (Use Classes) Ordinance, 2017, or in any provision equivalent to that Use Class in any Ordinance repealing or re-enacting that Ordinance, and shall not be used for any other purpose whatsoever at any time.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

OFFICER'S REPORT

Site Description:

La Petite Croute Farm comprises a working farm located within an Agriculture Priority Area, Outside of the Centres in the Island Development Plan.

Relevant History:

None.

Existing Use(s):

Agricultural Use Class 28

Brief Description of Development:

Permission is sought to erect a 230sqm extension to the west elevation of an existing agricultural building, which is stated to be a farm storage building.

- The farming activity at the site includes a large dairy herd and a potato growing and packing business;
- The proposed extension will provide additional interest storage for hay, animal foodstuff, etc, currently stored outside;
- Existing buildings on site are fully utilised
- All existing trees are to be retained, although some lopping/pruning may be required.

Following deferral, the following points have been made:

- The farm currently supplies 10% of the Island's milk and potatoes are washed and pre-packed for local supermarkets;
- The dairy herd are fed during the winter with harvested hay and other feeds made during the summer;
- Feed currently has to be stored outside;
- The new building will help the farm cope with changing climate patterns.

The application was deferred again for a more detailed explanation of uses on the site, however no further information has been provided.

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

OC5(A)	Agriculture Outside of the Centres – within the Agriculture Priority Areas
GP1	Landscape Character and Open land
GP8	Design
GP9	Sustainable Development

Representations:

None received.

Consultations:

None undertaken.

Summary of Issues:

Whether the proposal complies with policy;
Impact on the character of the area;
Impact on neighbour amenity.

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).**

Policy OC5(A) states that proposals for development relating to the agricultural use of an existing farmstead or holding, or for a purpose ancillary or ordinarily incidental to the existing principal agricultural use, will be supported where there are no other buildings or structures at the farmstead or on the agricultural holding which could, with or without reasonable adaptation, be otherwise used for the proposed purposes.

The proposal is for development relating to the agricultural use of an existing farmstead. Whilst the information provided as part of the application is not sufficient in itself to demonstrate that there are no other buildings capable of serving the proposed use, the case officer undertook a full site visit and was shown all other buildings on site, with an explanation of the use of each. Exceptionally in this case, this visit is sufficient to satisfy the Authority that the existing buildings are fully

utilised and could not be used for the proposed purposes. The principle of the proposal is therefore acceptable under Policy OC5(A).

The proposed building would comprise an extension of an existing farm building and would be located centrally within the building group. Whilst prominently located in relation to Rue des Belles, the proposal would retain the tree forward of the footprint and, read amongst the existing farm buildings, would not result in significant additional impact on the character of the area. Given the location within the existing building group, in this instance it would not be reasonable to require removal of the building should the agricultural use cease.

The building is set away from residential properties and there would be no harm to residential amenity.

The proposal would comply with the purpose of the Law, material considerations and relevant planning policies and approval is recommended.

Date: 13/06/22

