

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 shed to east of site.

LOCATION: Edible / Sandpiper Vinery, Route Des Heches, St. Pierre Du Bois.

APPLICANT: Edible Vinery

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: 21/04/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/02/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Plan and annotated photo (Dated 08/02/22)

Application Ref: FULL/2022/0345

Property Ref: F000140000

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 shed hereby approved shall be used only in association with the agricultural use of the site.

Reason - Permission for the building has been granted only on the basis that it is required in association with the agricultural use of the land.

5. Notwithstanding the details submitted, no permission is conferred to create a concrete slab. The hereby approved shed shall be situated on a non-permanent base.

Reason - To ensure that the land can be easily restored to agricultural use once the shed is no longer required for agricultural purposes.

6. Within six months of the date when the use of the shed for agricultural purposes ceases, the shed hereby permitted shall be removed from the site and the land shall be re-instated so that it is capable of agricultural use.

Reason - Permission for the shed has been granted only on the basis that it is required in association with the agricultural use of the land.

Expiry Date: This permission will cease to have effect on 20/04/2025 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/2022/0345
Property Ref: F000140000
Valid date: 08/02/2022
Location: Edible / Sandpiper Vinery Route Des Heches St. Pierre Du Bois
Guernsey GY8 0DS
Proposal: Erect shed to east of site.
Applicant: Edible Vinery

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.

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Reason - Permission for the shed has been granted only on the basis that it is required in association with the agricultural use of the land.

OFFICER'S REPORT

Brief Description of the site:

The site known as 'Sandpiper Vinery' is a large site to the south of Route de Plaisance and west of Rue des Heches. The south end of the site is covered with glasshouses, with the vehicular access above. The middle section of the site is now used as a bird farm and the north end of the site is covered with derelict glasshouses. The property is located Outside of the Centres and within the Agricultural Priority Area as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Agricultural use class 28: Agriculture.

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

GP8: Design

IP9: Highway Safety, Accessibility and Capacity.

Conclusion/Brief comment:

This application is to erect a shed to the east side of the site, just inside of and to the southside of the vehicular entrance.

At present there is a timber hedge veg stall on the roadside. The proposal will be to erect a small timber shed with double bi-fold doors on the front, which will house all the saleable veg and goods.

Policy OC5(A) supports development relating to the agricultural use of an existing agricultural holding, Edible. The use will be ancillary to the principle agricultural use and there is not another structure on the site which could be used for the proposed use.

The proposals will improve the storage facility for the vegetables. It will encourage purchasers to enter the site, rather than park on the road, which is detrimental to highway safety. Therefore the design and location of the hedge veg shed for Edible is considered to comply with the relevant policies and the recommendation is an approval.

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: 21/04/2022