

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 glasshouse to north-east of field.

LOCATION: Croute Becrel Cottage, Croute Becrel, Vale.

APPLICANT: Mr & Mrs J Sangan

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: 05/08/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/05/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Site Location Plan, Block Layout Plan (date stamped received 15th March 2022), annotated photograph of glasshouse (date stamped received 23rd May 2022),

Application Ref: FULL/2022/0657

Property Ref: C015130000+C015140000

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.Notwithstanding the information submitted, the hereby approved glasshouse shall be removed from site in its entirety should the current business 'The Jamblin Flower Farm' cease to operate.

Reason - In the interest of visual amenity and to conserve the character and appearance of the Conservation Area.

Expiry Date: This permission will cease to have effect on 04/08/2025 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/2022/0657
Property Ref: C015130000+C015140000
Valid date: 23/05/2022
Location: Croute Becrel Cottage Croute Becrel Vale Guernsey GY3 5HY
Proposal: Erect glasshouse to north-east of field.

Applicant: Mr & Mrs J Sangan

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.

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4. Notwithstanding the information submitted, the hereby approved glasshouse shall be removed from site in its entirety should the current business 'The Jamblin Flower Farm' cease to operate.

Reason - in the interest of visual amenity and to conserve the character and appearance of the Conservation Area.

OFFICER'S REPORT

Brief Description of the site:

The application site is located Outside of the Centres and in a Conservation Area as designated in the Island Development Plan.

The application site comprises a field to the east of Croute Becrel. The field is currently used in association with the Jamblin Flower Farm, which is understood to be a small-scale commercial horticultural business which grows and sells flowers.

Planning permission is sought to erect a glasshouse to the north-east of the field.

Paragraph 17.3.1 of Policy OC5(B) states that *"land used for agriculture is generally understood as including land which is used for ... the outdoor cultivation of flowers, bulbs or nursery stock and includes small holdings"*. Consequently, the use of the land and nature of the business falls within the scope of Policy OC5 (B) Agriculture Outside of the Centres.

For the avoidance of doubt, the 'non-commercial' production of food and flowers by individuals outside of residential curtilages on allotments is considered to be informal outdoor recreation (Policy OC9: Leisure and Recreation Outside of the Centres).

Relevant History:

PREA/2021/1065	Pre-application enquiry - Informal advice given 2021
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Existing Use(s):

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(B) Agriculture Outside of the Centres – outside the Agriculture Priority Areas

GP1 Landscape Character and Open Land

GP4 Conservation Areas

GP8 Design

GP9 Sustainable development

Conclusion/Brief comment:

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.

The policy text of OC5(B) states that *“Outside the Agriculture Priority Areas proposals for development relating to the agricultural use of an existing farmstead or existing agricultural holding, or for a purpose ancillary or ordinarily incidental to the existing principal agricultural use, will be supported provided that the development is ancillary or ordinarily incidental and essential to the proper running of the existing agricultural holding and there are no other buildings at the farmstead or on the agricultural holding which could, with or without reasonable adaptation, be otherwise used for the proposed purposes.”*

Given that the glasshouse will be used ancillary to the existing principal agricultural use of the land and that there are no other structures on site to provide such facility, the proposal is considered to comply with Policy OC5(B).

Due to the limited size of the glasshouse coupled with its distance to the road, the proposed development is not considered to adversely affect the landscape character, amenity of the area or Conservation Area. It is however reasonable and necessary to attach a condition to the permission to ensure that the glasshouse is cleared should the business cease to operate in the interests of visual amenity and conserving the character and appearance of the Conservation Area.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 02/08/22