

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: Relocate electrical kiosk and pumping station control kiosk, install field access road and create gated vehicle access to south boundary.

LOCATION: Barras Lane Field, Barras Lane, Vale.

APPLICANT: Mr J Le Prevost

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: 22/09/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/05/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Guernsey Water - Block Layout; SW_2022_1001 _002_CI, _003_CI Rev A & _004_CI & Drawing No: 001 Rev A

Application Ref: FULL/2022/0808

Property Ref: C023790000

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. Within six months of the date when vehicular access is no longer required to the surface water pumping station, or such other period previously agreed in writing by the Authority, the gridforce track hereby permitted and any associated materials shall be removed from the site. The land shall be re-instated so that it is capable of agricultural use within one year of the cessation of such use, or such other period as may be agreed beforehand in writing by the Authority.

Reason - Permission for the gridforce track has been granted only on the basis that it is required in association with the surface water pumping station. There is no justification to retain the gridforce track if there is no longer any requirement to access the pumping station.

Expiry Date: This permission will cease to have effect on 21/09/2025 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/2022/0808
Property Ref: C023790000
Valid date: 10/05/2022
Location: Barras Lane Field Barras Lane Vale Guernsey
Proposal: Relocate electrical kiosk and pumping station control kiosk, install field access road and create gated vehicle access to south boundary.
Applicant: Mr J Le Prevost

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. Within six months of the date when vehicular access is no longer required to the surface water pumping station, or such other period previously agreed in writing by the Authority, the gridforce track hereby permitted and any associated materials shall

be removed from the site. The land shall be re-instated so that it is capable of agricultural use within one year of the cessation of such use, or such other period as may be agreed beforehand in writing by the Authority.

Reason - Permission for the gridforce track has been granted only on the basis that it is required in association with the surface water pumping station. There is no justification to retain the gridforce track if there is no longer any requirement to access the pumping station.

OFFICER'S REPORT

Brief Description of the site:

The site comprises a large, open parcel of agricultural land located to the north of Barras Lane, and divided from that lane by a low stone wall. A subterranean pumping station is located in the north-west corner of the site. The west site boundary is formed by a low wall.

The site is located Outside of the Centres and within an Agriculture Priority Area as designated within the Island Development Plan.

Permission is sought under this application to relocate an existing electrical kiosk in the south-west corner of the land to adjacent to the west boundary, against an existing structure on the adjoining property, and to replace the control kiosk in the north-west corner, adjacent to the existing pumping station. A new 4.5m opening is proposed in the roadside wall, with field gate, and a gridforce strip is proposed along the west boundary, from the new gateway to access the pumping station.

Relevant History:

None.

Existing Use(s):

Agriculture Use Class 28

Pumping station and associated structures

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
IP9	Highway Safety, Accessibility and Capacity
IP11	Small scale infrastructure provision
GP8	Design

Consultations:

The Office for Environmental Health & Pollution Regulation have no comment to make.

Conclusion/Brief comment:

The proposal would contribute to the maintenance and support of existing small scale infrastructure. The proposed works, by virtue of the limited nature, design and positioning, would not have a significant impact on the visual amenity or character of the area, and would not raise any road safety concerns.

All works are peripheral to the wider Agriculture Priority Area and would not prejudice the ongoing use of that land. A condition should however be applied to ensure removal of the gridforce and associated substrates if no longer required to ensure the continued agricultural use of the land in the future.

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: 22/09/22

