

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 barn to south west elevation.

LOCATION: La Gervaise Farm, Route Des Houguets, St. Saviour.

APPLICANT: Icart Properties Ltd

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: 02/09/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 26/07/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Direct Architectural Solutions Limited - 1425-WD-01A, 02A, 03, 04 & 05

Application Ref: FULL/2022/1350

Property Ref: E003840000

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.

Expiry Date: This permission will cease to have effect on 01/09/2025 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/2022/1350
Property Ref: E003840000
Valid date: 26/07/2022
Location: La Gervaise Farm Route Des Houguets St. Saviour Guernsey GY7 9UJ
Proposal: Erect extension to barn to south west elevation.

Applicant: Icart Properties 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.

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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 site consists of La Gervaise Farm that is accessed via a track off Route Des Houguets and is at a lower level than the road. There are a number of agricultural buildings on site, some more modern than others, some house cattle, whilst other house farm machinery and animal feed.

La Gervaise Farm is a mixed agri-business supplying the island with various fresh produce, milk and beef.

The application relates to the erection of an extension to the south west elevation of an existing barn. The application sets out that the extended barn, with slurry pit beneath, will be used for the wintering of the existing cattle herd at the farm and is a requirement of keeping cattle under the RSPCA Welfare Standards for Dairy Cattle.

The building has been designed with a rendered blockwork and shiplap boarded exterior with a corrugated sheet roof.

The submission also provides information relating to sustainable development and site waste management. Following the deferral of the application additional information was also provided regarding how the existing farmyard/buildings are utilised. Attention has been drawn to the change in ground levels on the site. The ground levels of the adjoining barns to the northeast of the existing milking parlour are 2m lower which means it is impossible to consider any of these buildings as being appropriate to extend to provide the necessary space to provide high standard accommodation for cattle under the RSPCA Welfare Standards. The revised plans show the existing barns to be used for potato packing, storage of feed, fertilizer and potato storage, a calving pen barn and milking parlour.

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

Relevant History:

PAPP/2006/0871 – erect agricultural building – granted

Existing Use(s):

28 Agriculture

Assessment: *(Tick as appropriate)*

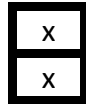
no representation
accords with policy

x
x

visual amenity acceptable
no material neighbour impact

x
x

within curtilage



design acceptable

traffic not affected



Policies considered most relevant:

Island Development Plan policies:

OC5(A): Agriculture Outside of the Centres – within the Agriculture Priority Areas

GP8: Design

GP9: Sustainable Development

Conclusion/Brief comment:

Policy OC5(A) does make provision for development relating to the agricultural use of a site where it is ancillary and incidental to the existing principal agricultural use and where there are no other buildings that could be used or adapted for the proposed purpose.

Following the receipt of further information regarding the use of the existing buildings on the site it is clear that there are no other buildings available on site to be used for the proposed purpose and Policy OC5(A) therefore makes provision for the proposed development.

The scheme represents a building that is functional in its design and appearance but which will not result in harm to the character of the area and open landscape concerned. The extension proposed will not have a detrimental impact on residential amenity in accordance with Policy GP8.

With regard to Policy GP9: Sustainable Development, it has been demonstrated that the proposed development will comply with Building (Guernsey) Regulations 2012 and therefore has taken into account the use of energy, resources and any adverse impact on the environment.

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.

In view of the above, it is recommended planning permission is granted for the proposed barn extension.

Recommendation:

Grant with Conditions



Date: 01 September 2022