

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: Use of agricultural land for construction and visitor parking for a temporary period.

LOCATION: Vacant Land to South of Ker Maria, Route Carre, St. Sampson.

APPLICANT: Chaumiere Homes 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: 09/11/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/09/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design: 22-1439 PD/01 and letter dated 08/09/2022

Application Ref: FULL/2022/1852

Property Ref: B01082A000

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 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.

3. This permission is given for a limited period of 18 months, expiring on 9th May 2024, by which time all hard surfacing shall be fully removed and the land shall be restored to its former condition as set out in the A7 Design Ltd letter dated 08/09/2022.

Reason - The nature, design and appearance of the development make it unsuitable for a permanent permission.

Expiry Date: This permission will cease to have effect on 08/11/2025 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/2022/1852
Property Ref: B01082A000
Valid date: 12/09/2022
Location: Vacant Land to South of Ker Maria Route Carre St. Sampson
Guernsey
Proposal: Use of agricultural land for construction and visitor parking for a
temporary period.
Applicant: Chaumiere Homes 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 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.

3. This permission is given for a limited period of 18 months, expiring on 9th May 2024, by which time all hard surfacing shall be fully removed and the land shall be restored to its former condition as set out in the A7 Design Ltd letter dated 08/09/2022.

Reason - The nature, design and appearance of the development make it unsuitable for a permanent permission.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested to use a section of agricultural land for the parking of construction and visitor vehicles for a temporary period of 18 months whilst works are ongoing to construct the approved sheltered housing on the adjacent site.

The site consists of a parcel of agricultural land situated to the east of Route Carre and is Outside of the Centres. The site is outside of but bounded by the L'Islet Local Centre to the north and west and is outside of but bounded by agricultural land within an Agriculture Priority Area to the east.

Relevant History:

None

B1670 – Ker Maria

23/03/2022 – FULL/2021/2492 – Permission granted to demolish building, erect building to provide 10 flats (Residential Use Class 3- Sheltered Housing) and erect bin store to north of site.

Existing Use(s):

Agricultural use class 28

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 - Agriculture Outside of the Centres – outside the Agriculture Priority Areas
LC2 - Housing in Local Centres
GP1- Landscape Character and Open Land
GP8 - Design
GP9 - Sustainable Development
IP7 - Private and Communal Car Parking

Conclusion/Brief comment:

Works have commenced on the adjacent housing site. The site is largely screened from public view by well-established planting along the west roadside boundary and the proposed temporary use of the site for parking associated with the redevelopment of the adjacent site would have a limited impact on the character and appearance of the area. Planning conditions can be applied to ensure that the land is returned to its current condition once the temporary use has ceased.

The existing planting along the roadside may affect sightlines for vehicles exiting the site. It is noted that the limited trimming/shaping of the hedges could improve the sightlines and planning permission would not be required for this.

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.

It is recommended that the application is approved.

Recommendation:

Grant with Conditions



Date: 09/11/2022

