

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 lean-to infill extension to south elevation of barn and increase hardstanding area to west of barn.

LOCATION: Area of land formerly part of, Hougue Ricart Quarry at, Clos du Valle, Vale.

APPLICANT: Ms R Falla & Ms S Savident

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: 23/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 27/01/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block plan (27/01/2023) & hand drawn plans and elevations (18/01/2023).

Application Ref: FULL/2023/0168

Property Ref: C01313A000

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 extension hereby approved shall be used only for purposes ancillary to the authorised use of the existing building.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

5.Within six months of the date when use of the site as a small holding ceases, the extension and hardsurfacing hereby permitted 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 proposals has been granted only on the basis that they are required in association with the existing use of the land. There is no justification to retain these elements if there is no longer any agricultural/horticultural use of the land.

Expiry Date: This permission will cease to have effect on 22/03/2026 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/2023/0168
Property Ref: C01313A000
Valid date: 27/01/2023
Location: Area of land formerly part of Hougue Ricart Quarry at Clos du Valle Vale Guernsey GY3 5LE
Proposal: Erect lean-to infill extension to south elevation of barn and increase hardstanding area to west of barn.
Applicant: Ms R Falla & Ms S Savident

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. The extension hereby approved shall be used only for purposes ancillary to the authorised use of the existing building.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

5. Within six months of the date when use of the site as a small holding ceases, the extension and hardsurfacing hereby permitted 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 proposals has been granted only on the basis that they are required in association with the existing use of the land. There is no justification to retain these elements if there is no longer any agricultural/horticultural use of the land.

OFFICER'S REPORT

Brief Description of the site:

The site is a triangular field located at the narrowest point between Cuckoo Lane and La Mazotte road. There is residential development to the east and open land to the north west and south. The site is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2021/1181 - Erect a barn and retaining wall to south east of site – Approved August 2021.

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:

OC9: Leisure and Recreation Outside of the Centres

GP1: Landscape Character and Open Land

GP8: Design

Conclusion/Brief comment:

This application is to erect a lean-to infill extension to the south elevation of the barn and increase the hardstanding area to the west of the barn.

The proposals to erect a lean-to extension to the south of the barn is considered acceptable as it would bring some unused and unusable space back into useable space. At present the area is a corridor between the barn and the retaining wall where rainwater collects, meaning it cannot be used for outdoor storage for animal field equipment. However once the extension is in place the corridor becomes internal space, which is able to store the equipment without worrying about the weather.

The extension would not really be seen from the road, other than the roof, which is considered appropriate, however, this will become screened once the planting in the raised bed has had a chance to grow.

The proposed paving is for a limited area, well related to the authorised building. Whilst the proposed material is domestic in nature, given the position, limited extent and ease of reversal should the use cease, it is considered acceptable. The paving is required around the entrance area of the barn in order for the goats to have an outdoor area which is not muddy to prevent hoof rot.

In this instance, the proposals are considered to be appropriate to the surroundings and will provide better care for the goats and storage for the paraphernalia associated with the goats and other animals that live on the small holding.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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: 20/03/2023

