

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 outbuilding/sheds to west boundary of agricultural field.

LOCATION: Field, Ruelle Des Hougues Falles, Rue Des Vinaires, St. Pierre Du Bois.

APPLICANT: Mr D McAuley

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: 29/03/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 24/02/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Naftel Associates: A230103 PD 10 & 11 and Proposed Shed Information.

Application Ref: FULL/2023/0341

Property Ref: F007200000

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 sheds hereby permitted shall be used only for purposes ancillary to the agricultural use of the land.

Reason - To define the permission for the avoidance of any doubt.

Expiry Date: This permission will cease to have effect on 28/03/2026 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/2023/0341
Property Ref: F007200000
Valid date: 24/02/2023
Location: Field Ruelle Des Hougues Falles Rue Des Vinaires St. Pierre Du Bois Guernsey GY7 9EN
Proposal: Erect outbuilding/sheds to west boundary of agricultural field.
Applicant: Mr D McAuley

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 sheds hereby permitted shall be used only for purposes ancillary to the agricultural use of the land.

Reason - To define the permission for the avoidance of any doubt.

OFFICER'S REPORT

Brief Description of the site:

Rue des Hougues Falles Field is an open and undeveloped parcel of agricultural land situated between Rue De Quanteraine to the south-west and Rue des Hougues Falles to the north-east. Open and undeveloped agricultural land exists to both the north, south and east of the site. A wooded area/nature reserve is situated to the west of the site. Access to the site is via Rue Des Hougues Falles.

The application relates to the erection of two timber sheds adjacent to the west boundary of the field to be used to propagate eggs and store food for livestock, primarily pigs. The timber sheds have vertical timber boarding and low pitched roofs with onduline style roof covering.

The application was deferred in order to seek further clarification regarding the development and the agent has confirmed that the applicant has no other land in this parish nor other nearby facilities that could be used for the purposes proposed. The land was in use by the previous owner for keeping pigs and the applicant currently has approximately 40 pigs (dependant on births and sales). Currently chickens are kept on occasion, they remain for approximately 6 weeks before being slaughtered and the intention is to propagate eggs on site to sustain the process with an initial aim of 60 eggs being propagated each cycle and chicks sent for slaughter at 44 days old before which they will be housed in suitable enclosures on the site. The stores will be used for storage of feed, tools and equipment too because at present the feed is regularly transported to the site and stored in containers and less transport will enhance the sustainability of the operation/process.

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

Relevant History:

None.

Existing Use(s):

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:

Island Development Plan policies:

OC5(A): Agriculture Outside of the Centres – within the Agriculture Priority Areas
GP1: Landscape Character and Open Land
GP8: Design

Conclusion/Brief comment:

The proposed development is considered proportionate to the agricultural use of the site. The development is positioned so that it will not have a detrimental impact on the character of the area given the boundary landscaping and backdrop of mature tree/hedge planting. Whilst the eastern part of the field is visible from Route Des Sages to the west, the lower western part is not visible in these long distance views. The nature and scale of development proposed, combined with its careful positioning, will not undermine the commercial function of the Agriculture Priority Area or the future function of this field for agricultural purposes.

In view of the above it is recommended planning permission is granted for the development proposed. The use of the buildings should be conditioned to be for purposes ancillary to the agricultural use of the land, not for any other purpose.

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: 24 March 2023

