

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: Install replacement door, re-clad packing shed/outbuilding and install hardstanding (retrospective).

LOCATION: Maraive Vinery, La Rue De La Maraive, Vale.

APPLICANT: Mrs J Taylour

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: 03/10/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 14/07/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block plan (01/06/2023) and hand drawn plan & elevations (14/07/2023).

Application Ref: FULL/2023/1020

Property Ref: C001060000

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.

Expiry Date: This permission will cease to have effect on 02/10/2026 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/2023/1020
Property Ref: C001060000
Valid date: 14/07/2023
Location: Maraive Vinery La Rue De La Maraive Vale Guernsey GY3 5BE
Proposal: Install replacement door, re-clad packing shed/outbuilding and install hardstanding (retrospective).

Applicant: Mrs J Taylour

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.

INFORMATIVES

OFFICER'S REPORT

Site Description:

The site known as 'Maraive Vinery' lies north of La Lande quarry with a Site of Special Significance to the east and north, the vinery is under 70m away from the coast to the north and open land to the west. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Agricultural use class 28: agriculture.

Brief Description of Development:

This is a retrospective application to re-clad a small packing shed/outbuilding and install hardstanding to the north and west of the shed.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

OC6: Horticulture Outside of the Centres
GP1: Landscape Character and Open Land
GP8: Design

Representations:

There has been one letter of representation and the issues are;

- The site should not be considered as a redundant glasshouse site
- The land should be considered as agricultural land
- It cannot be right for the owner of horticultural/ agricultural land to install hard standing in the form of paved slabs on a concrete base. What can be the true purpose for this retrograde development of land which will fall back in time to agricultural use? This is an area of outstanding beauty and one that has been cleared of glass to leave the land as well restored as it can be for either agriculture or to improve biodiversity.
- The committee is urged to work toward this area continuing to be returned to agriculture use and prevent unauthorised development work.

Consultations:

None

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

The vinery is at present unused, but the intention is to start up a horticultural business growing crocuses for the harvesting of saffron. The refurbishment of the packing shed and the hardstanding laid is to be used in association with the growing activities.

Policy OC6 states that proposals to rebuild existing buildings which are associated with horticultural holdings will be supported if the site could be brought back into operation for commercial horticulture without requiring the erection of significant areas of new glass. The holding is considered to be capable of making a material contribution to the horticultural industry and that the proposed development (retrospective refurbishment of small outbuilding) is ancillary or incidental and essential to the operation of the holding.

The proposals are to use the retrospectively refurbished outbuilding in association with the new horticulture venture of growing crocuses for saffron. The building is not large in scale and does already exist, therefore the proposals do appear to comply with policy OC6.

Policy GP1 will support development as long as it respects the relevant landscape character type, does not result in the unnecessary loss of open land or distinctive features that contribute to the wider landscape character. The development should try where possible to improve visual and physical access to open and undeveloped land and accord with all other relevant policies.

The proposals are not considered to result in any loss of open land, it respects the landscape because it is the refurbishment of an outbuilding which has been present on site for many decades. The removal of the decayed glasshouse, in association with the proposals will improve the surrounding visual amenity.

The design of the small outbuilding has not changed from its original form, and is not considered to impact on the character and appearance of the surrounding landscape character, nor will it impact on any of the neighbours amenity.

The hard landscaping although unusual in such a rural setting, is close to the outbuilding and does not span too great an area and can be considered appropriate and ancillary to the use of the small outbuilding. It is considered a small enough area that does not warrant a refusal.

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

3 - General material considerations set out in the General Provisions Ordinance.

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. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 02/10/2023