

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 proposed agricultural store to north boundary.

LOCATION: Le Petit Russel, Rue De Agneaux, Forest.

APPLICANT: Mr R Breban

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: 04/08/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 29/06/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd - 5439-02 B1 & Blackdown Buildings - 5189-01 Rev A3

Application Ref: FULL/2023/1091

Property Ref: H00651A000

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 03/08/2026 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/2023/1091
Property Ref: H00651A000
Valid date: 29/06/2023
Location: Le Petit Russel Rue De Agneaux Forest Guernsey GY8 0AT
Proposal: Erect proposed agricultural store to north boundary.

Applicant: Mr R Breban

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.

OFFICER'S REPORT

Brief Description of the site:

The site known as 'Le Petit Russel Farm' is a long narrow slice of land situated to the west of Route des Blicqs, it is situated within a safeguarded area east of the airport and La Villiaze Road. There is a single track running from the road on the east boundary to the existing large barn (approx. 23m x 9m) located at the western end of the site. The site is surround by other open fields, with the exception of one Protected Building to the south. The site is located Outside of the Centres and within a Safeguarded Area as defined in the Island Development Plan.

Relevant History:

FULL/2011/1982 – Demolish existing buildings and erect replacement timber clad agricultural building – Approved September 2011.

Existing Use(s):

Agricultural use class 28: agriculture

Assessment: (Tick as appropriate)

no representation

X

accords with policy

X

within curtilage

X

design acceptable

X

visual amenity acceptable

X

no material neighbour impact

X

traffic not affected

X

Policies considered most relevant:

OC5(B): Agriculture Outside of the Centres – outside the Agriculture Priority Areas

GP1: Landscape Character and Open Land

GP5: Protected Buildings (Setting)

GP8: Design

GP17: Public Safety and Hazardous Development

IP5: Safeguarded Areas

Consultations:

Airport Airside Operations

02/08/2023

"The proposed dwelling falls within the Public Safety Controlled Zone (PSCZ) of the airport. New dwellings within the PSCZ are only permitted with strict conditions, as the application states that the dwelling will be used for agricultural use only, it does meet these conditions so long as the dwelling is not utilised for anything other than its intended purpose in the future."

- I also note that the owner intends to house wildlife within the new dwelling, could we be furnished with the plans for housing wildlife, in particular the chickens and turkeys. Whilst they do not pose an inherent risk to aircraft, open food sources can attract other wildlife to the area and thus we need to be satisfied with the plans to mitigate the risks posed by these extra food sources."

03/08/2023

"We are satisfied with the comments the applicant has provided and thus we have no further concerns regarding this application."

Conclusion/Brief comment:

This application is to erect a 5m x 10m timber framed agricultural building to be used as a feed store and nursery for young animals, sheep, goats, turkeys and chickens. The store is to be located approximately 17m away from the existing large barn, along the northern boundary, facing south.

There have been agricultural buildings on this land since the 1970's and the existing barn replaced them in 2011. The farm has traditionally reared cattle with a few geese, they are now wishing to diversify and have some sheep, goats, turkeys and chickens. The States vet has recommended a separate building to store the feed and have a space for baby animals away from the larger cattle and farm machinery.

Policy OC5(B) states that outside the Agriculture Priority Areas proposals for development relating to the agricultural use of an existing farmstead, for a purpose ancillary or ordinarily incidental to the existing principal agricultural use will be supported, provided that the development is ancillary and essential to the proper running of the existing agricultural holding and there are no other buildings at the farmstead which could, with or without reasonable adaptation, be otherwise used for the proposed purposes.

The new building would be ancillary and essential to the proper running of the farmstead and there are no other buildings on the site other than the existing barn.

The location of the site is within a valley and the single storey timber framed building will be situated away from the road, close to the existing barn and the tree lined northern boundary and so would blend into its surroundings and would not be obviously visible from public vantage points.

The siting of the proposed store would not result in the loss of any distinctive features, it would respect the character of the landscape and therefore the proposal is considered to comply with GP1.

The design is considered to be appropriate in size and scale, and is not considered to have any impacts on the one neighbouring property to the south, which is protected, the setting of the protected building is also not thought to be affected by the proposal.

The proposal would not inhibit the implementation of an approved Development Framework or prejudice the future implementation of any airport development, for which the area has been safeguarded. The development is considered to be of a minor, inconsequential nature which would not prejudice any future airport development and the proposal considered to be in accordance with all other relevant policies of the Island Development Plan.

The Airport were consulted as the location of the site is within the Eastern Airport Safety Zone and it was important that the proposals comply with any protocols concerning public safety. The Airside Operations manager has agreed that the proposals are satisfactory.

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: 04/08/2023

