

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: Variations to works previously approved to demolish existing, erect two dwellings, create vehicular access and change of use of agricultural land to domestic garden (429 sqm) - alter access and parking for unit 1, and widen roadside vehicle access.

LOCATION: No. 2 La Lande, La Lande Vinery, Route De La Lande, Vale.

APPLICANT: Mr P Le Lievre

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: 27/09/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/08/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd: 7491-01/C1D, -01/C2D & -01/C4D.

Application Ref: FULL/2023/1303

Property Ref: C000490000

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 on or before 06/04/2025.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2021/2225.

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. Within four weeks of the new shared access being brought into use, the ends of the new opening shall be finished off using materials and a method of construction which match the remainder of the existing wall.

Reason - In the interests of visual amenity.

5. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 07/04/2022, issued under planning application reference FULL/2021/2225, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

Expiry Date: This permission will cease to have effect on 06/04/2025 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/2023/1303
Property Ref: C000490000
Valid date: 10/08/2023
Location: No. 2 La Lande La Lande Vinery Route De La Lande Vale
Guernsey
Proposal: Variations to works previously approved to demolish existing,
erect two dwellings, create vehicular access and change of use
of agricultural land to domestic garden (429 sqm) - alter
access and parking for unit 1, and widen roadside vehicle
access.
Applicant: Mr P Le Lievre

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 on or before 06/04/2025.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2021/2225.

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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. Within four weeks of the new shared access being brought into use, the ends of the new opening shall be finished off using materials and a method of construction which match the remainder of the existing wall.

Reason - In the interests of visual amenity.

5. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permission dated 07/04/2022, issued under planning application reference FULL/2021/2225, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

INFORMATIVES

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested for variations to works previously approved to demolish the existing packing shed and to erect 2 dwellings (FULL/2021/2225). The variations involve alterations to the access and parking for unit 1 and to widen the roadside vehicle access.

The site previously contained a large metal framed glasshouse of approximately 8000sqm and a timber and metal clad packing shed along the south boundary in the south-west corner. The glasshouse and packing shed have since been removed and works have begun on the construction of the replacement dwellings. The site is located close to Beaucette Marina and is Outside of the Centres.

The area is predominantly rural in character, comprising a network of small lanes, open fields and horticultural sites in various states of repair, interspersed with small groups of residential properties.

Relevant History:

31/08/2022 – FULL/2022/1085 – Permission granted for variations to works previously approved - Alterations to accesses in the west boundary.

29/07/2022 - FULL/2022/1084 – Permission granted for alteration to field access gate to north elevation.

07/04/2022 – FULL/2021/2225 – Permission granted to demolish existing, erect two dwellings, create vehicular access and change of use of agricultural land to domestic garden (429 sqm).

16/12/2020 – FULL/2019/1772 – Permission granted for the sub-division and conversion of vinery building to create 2 dwellings and create additional vehicular access (revised).

Existing Use(s):

Agricultural use class 28 – horticultural site

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:

Policy GP1: Landscape Character and Open Land

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP16(B): Conversion of Redundant Buildings – Demolition and Redevelopment

Policy IP6: Transport infrastructure and support facilities

Policy IP7: Private and Communal Car Parking

Policy IP9: Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

The relocation of the parking area of unit 1 to be served by the new shared access to the north and the minor increase to the width of the shared access would have no adverse effects.

Blocking up the now redundant access with a gate and hedging is unfortunate and does not respect the character and appearance of the remainder of the boundary roadside wall. However, the existing access could be blocked up as proposed without

planning permission once the dwellings have been completed and the proposal is unlikely to cause significant harm to the character and appearance of the area to warrant a refusal.

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: 27/09/2023