

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 single storey agricultural store to east of site.

LOCATION: Rocquettes Cider Farm, Rue Des Fauxquets, Castel.

APPLICANT: Mr J Meller

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: 05/01/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/09/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd: 6154-07/B1B, B2A and B3A

Application Ref: FULL/2023/1534

Property Ref: D002030000

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.No development, excluding demolition and site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Authority:

- i) full details of hedge planting;
- ii) planting schedules, noting the species, sizes, numbers and densities of plants;
- iii) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

5.The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following completion of development, or in accordance with a programme previously agreed in writing by the Authority. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

Expiry Date: This permission will cease to have effect on 04/01/2027 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/2023/1534
Property Ref: D002030000
Valid date: 18/09/2023
Location: Rocquettes Cider Farm Rue Des Fauxquets Castel Guernsey
GY5 7QA
Proposal: Erect single storey agricultural store to east of site.

Applicant: Mr J Meller

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.

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OFFICER'S REPORT

Brief Description of the site:

The site is located Outside the Centres and within the Agriculture Priority Area (APA) as designated by the Island Development Plan.

The site is known as Rocquettes Cider Farm and is located in the centre of the Island, to the south west of Rue des Fauxquets, Castel.

Relevant History:

FULL/2022/0065 – Erect single storey covered shelter
27/04/2022

Approved

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:

OC5 (A) – Agriculture within the APA

GP1 – Landscape Character and Open Land

GP8 – Design

GP9 – Sustainable Development

Conclusion/Brief comment:

The proposal involves the erection of a single storey agricultural store within the existing agricultural field, adjacent to the entrance track from Rue des Fauxquets.

The application was deferred due to concerns about the visual impact of the proposal on the open rural landscape, and subsequently the proposal has been revised. The revisions included the reorientation of the building, turning it from running east-west to north-south, and changes to the size from 20m by 8m to 15.5m by 9.5m, along with some boundary planting to assist in screening the development. Additional information regarding the suitability of the location and storage requirements were also received.

Policy OC5 (A) generally supports development related to existing farms/agricultural holdings. It states that proposals for development relating to the agricultural use of an existing farmstead, will be supported where there are no other buildings or structures which could, with or without reasonable adaptation, be otherwise used for the proposed purposes.

The application includes sufficient information to demonstrate that there are no available buildings on site for the proposed use, as the other buildings are all in an alternative use. In addition, many of the existing buildings are also unsuitable as the items to be stored in the new building include large, bulky items such as apple storage crates and access for forklift trucks. The proposed building will also house the existing farm machinery, including two tractors, a digger, mowers and a compost spreader which are currently stored outside.

The proposal is therefore considered to accord with the requirements of Policy OC5(A).

Policy GP1 is also relevant, as the building is located within an open rural landscape. The application explains that the building is positioned as proposed due to the topography of the site and located close to the works driveway entrance which is best suited for tractor and forklift use.

The building is approx. 6.3m high and so will be visible above the trees when viewed from the roadside. It is mainly the roof which is visible, and with the additional planting proposed along the roadside boundary, the visual impact will be mitigated further.

The utilitarian form of the building will ensure that it is read as an agricultural building, within an agricultural setting and ensure it respects the landscape character. The proposal results in the loss of a small section of earthbank, but this is within the site, along the access and will not have a harmful impact on the character of the area.

The proposal also accords with Policies GP9 and GP8, providing an appropriate design and soft landscaping.

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: 04/01/2024

