

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: Store/park campervan on agricultural land.

LOCATION: Field, Rue Des Arguilliers, Vale.

APPLICANT: Mr I Le Tissier

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: 07/12/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/11/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block plan and dimensions and photo of van (both dated 13/11/2023).

Application Ref: FULL/2023/1991

Property Ref: C02162A000

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.This approval relates to the storage of one campervan only. No other vehicles are permitted to be stored on this site. When the van is no longer owned by the applicant, or the use of the land for its storage is no longer required, the storage use shall cease within 8 weeks, and the area of land where it was stored shall return to agricultural use.

Reason - The permission is limited to the specific use applied for and subject to such restriction can be met on site without unacceptable harm to other interests.

5.The approved development shall be carried out only by Mr Ian Le Tissier and should the land cease to be owned by this named person, the use hereby permitted shall cease, the van shall be removed from the land within 8 weeks, and the area of land where it was stored will return to agricultural use.

Reason - The permission is limited to the specific use applied for and subject to such restriction can be met on site without unacceptable harm to other interests.

Expiry Date: This permission will cease to have effect on 06/12/2026 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/2023/1991
Property Ref: C02162A000
Valid date: 13/11/2023
Location: Field Rue Des Arguilliers Vale Guernsey GY6 8ND
Proposal: Store/park campervan on agricultural land.

Applicant: Mr I Le Tissier

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 to the north of Lea Arguilliers Lane, south of Rocher Lane Vinery and has domestic properties to the east and west. The site is 3,075sqm, it has a 135sqm glasshouse located in the middle of the northern part of the site with a track entering from the southwest running along the western side of the site. The rest of the land is laid to lawn, with a line of trees either side of the track. The land is agricultural land which lies just outside of an Agriculture Priority Area, and is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

Two pre-apps about storing a campervan on the land 2022 and 2023.

Existing Use(s):

Agricultural use class 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:

OC3: Offices, Industry and Storage and Distribution Outside of the Centres

OC7: Redundant Glasshouse Sites Outside of the Centres

Conclusion/Brief comment:

This application is to store/park a campervan on agricultural land.

The wording for OC3 is very similar to the second part of OC7, so this report will look mostly at OC7.

The proposal is to store one van on site and no more, small scale storage, which will allow the rest of the land to be used for agricultural purposes, should it be necessary. The proposal does not stop the land from positively contributing to the wider area of open land.

Criteria d) through to h) are not applicable in this case.

As the van is not particularly big, it is considered that the scale and form will not disrespect the character or appearance of the surrounding area, nor will it have any detrimental impacts on any of the neighbours.

There will be no impacts on the highway and the van, due to its size will not jeopardise the visual amenity of the area.

It would not be appropriate to request landscaping to screen the van, as that would mean planting in front of the track, as it is one vehicle it is not considered that screening is necessary.

However, part iv) of OC7 states that any proposal should include the demolition and removal from the site of all glasshouses and ancillary structures, which is not what the applicant wants or proposes. Therefore they have requested a minor departure from the Island Development Plan, specifically this part of policy OC7, in order to retain the existing small glasshouse for agricultural purposes.

In this case the reason for storing the van in this location is the fact the applicants have no space at their domestic property, which is a small cul-de-sac property in an urban area where there is little space to park a campervan. The minor departure would allow the existing glasshouse to remain, as it would be unsustainable to require the removal of the glasshouse, only to result in the erection of a new building on the site.

The site is reasonably large and the storage of one campervan would have a minimal impact. As long as the approval is specific to this van only and personal to the applicant, then it is considered appropriate for a minor departure to be used in this case.

The proposals are considered to conform to the above policies of the Island Development Plan with a minor departure from OC7i(v) and grant of permission is recommended, subject to conditions.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 05/12/2023

