

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 south-east boundary.

LOCATION: Les Penelottes, Route Des Bas Courtils, St. Saviour.

APPLICANT: Mr & Mrs P Adkins

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: 06/06/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/04/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: G E Le Friec - 2409 /1A & 02A

Application Ref: FULL/2024/0690

Property Ref: E00014A000+E000140000

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 06/06/2027 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/2024/0690
Property Ref: E00014A000+E000140000
Valid date: 15/04/2024
Location: Les Penelottes Route Des Bas Courtils St. Saviour Guernsey
GY7 9YL
Proposal: Erect single storey agricultural store to south-east boundary.
Applicant: Mr & Mrs P Adkins

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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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 property known as 'Les Penelottes' is a mid-20th century dwelling with a large agricultural field attached. The domestic curtilage comprises the southwest corner of the whole site. The property is set back from and faces south onto Route des Bas Courtil. The domestic curtilage has a vehicular access at the west end of the south roadside boundary and there is a field access at the east end of the same boundary. The property is located Outside of the Centres and within the Agriculture Priority Area as defined in the Island Development Plan.

Relevant History:

FULL/2020/0904 - Change of use of agricultural land to domestic garden, erect shed and replace section of hedge – Refused August 2020.

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:

OC5(A): Agriculture Outside of the Centres – within the Agriculture Priority Areas

GP1: Landscape Character and Open Land

GP8: Design

Conclusion/Brief comment:

This application is to erect a 4.5m x 3.5m timber log store in the southwest corner of the field close to the entrance and close to the dwelling, the store will house all of the equipment required to maintain the agricultural land.

However, there was concern over the size of the store, the application was deferred to allow the applicants to reduce the size of the store and show a plan of the items to be stored in the shed in detail. Consequently the store is now 3.5m x 3.5m and a plan has been submitted to show the lawn mower, strimmer, and other items that are to be stored to ensure the field is maintained.

Policy OC5(A) states that proposals that which are not related to a farmstead or existing agricultural holding will be supported provided that they accord with all the relevant policies of the Island Development Plan.

The agricultural store is proposed to be located forward of the building line of the dwelling, however there is a lot of planting and a mature hedge between the field and the roadside, which would screen the store. The store is to be located in the corner of the field to ensure the majority of the field can still be used for agriculture.

The size of the store has been reduced and is considered to be appropriate for the items required to maintain the field. The scale and massing of the new store is not considered to have a detrimental effects on the character and amenity of the surrounding area, landscape character or openness, nor will it have any impact on either of the immediate neighbours.

The proposals are considered to conform to the above policies of the Island Development Plan 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: 04/06/2024