

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 structures on agricultural land (chicken cage, vegetable cage, play/climbing frame and goat shelter) (retrospective).

LOCATION: Area of land formerly part of, Hougue Ricart Quarry, Clos Du Valle, Vale.

APPLICANT: Ms R Falla & Ms S Savident

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: 13/06/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/05/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block plan and 4 annotated photos (All dated 13/05/2024).

Application Ref: FULL/2024/0850

Property Ref: C01313A000

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 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.

3. The structures hereby approved shall be used only for purposes ancillary to the use of the land as an agricultural small holding and for no other purpose.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

4. Within six months of the date when the approved structures are no longer required in association with the use of the site as a small holding, or use of the site as a small holding ceases, whichever is sooner, the structures hereby permitted shall be removed from the site. The land shall be re-instated so that it is capable of agricultural use within one year of the cessation of such use, or such other period as may be agreed beforehand in writing by the Authority.

Reason - Permission for the structures has been granted only on the basis that they are required in association with the existing use of the land. There is no justification to retain the structures if there is no longer any agricultural/horticultural use of the land.

Expiry Date: This permission will cease to have effect on 13/06/2027 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/2024/0850
Property Ref: C01313A000
Valid date: 13/05/2024
Location: Area of land formerly part of Hougue Ricart Quarry Clos Du Valle Vale Guernsey GY3 5LE
Proposal: Erect structures on agricultural land (chicken cage, vegetable cage, play/climbing frame and goat shelter) (retrospective).

Applicant: Ms R Falla & Ms S Savident

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 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.

3. The structures hereby approved shall be used only for purposes ancillary to the use of the land as an agricultural small holding and for no other purpose.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

4. Within six months of the date when the approved structures are no longer required in association with the use of the site as a small holding, or use of the site as a small holding ceases, whichever is sooner, the structures hereby permitted shall be removed from the site. The land shall be re-instated so that it is capable of agricultural use within one year of the cessation of such use, or such other period as may be agreed beforehand in writing by the Authority.

Reason - Permission for the structures has been granted only on the basis that they are required in association with the existing use of the land. There is no justification to retain the structures if there is no longer any agricultural/horticultural use of the land.

OFFICER'S REPORT

Brief Description of the site:

The site known as 'Belvoir field' is a triangular field located at the narrowest point between the Cuckoo Lane and La Mazotte road. There is residential development to the east and open land to the north, west and south. The site is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2021/1181 - Erect a barn and retaining wall to south east of site - Approved August 2021

FULL/2023/0168 – Erect lean-to infill extension to south elevation of barn and increase hardstanding area to west of barn – Approved March 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:

OC5(B): Agriculture Outside of the Centres – outside the Agriculture Priority Areas
GP1: Landscape Character and Open Land
GP8: Design

Conclusion/Brief comment:

This is a retrospective application for some structures on agricultural land, in association with and proportionate to the use of the land as a small holding. The structures are a chicken cage, a fruit cage and a goat shelter/activity play apparatus.

All of the structures are free-standing without foundations and can be moved or dismantled without affecting the land. The structures are lightweight and are not considered to have any impacts on the character of the surrounding area nor will they have any detrimental impacts on neighbour amenity.

The structures have been designed in accordance with guidance from the States vet to enrich the goats area and provide measures to prevent the spread of avian flu should this be required in the future.

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: 12/06/2024

