

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: Install replacement cladding to all elevations and roof and install replacement garage door to existing agricultural outbuilding/store.

LOCATION: La Jaoniere, Rue De La Greve, Vale.

APPLICANT: Mr & Mrs P Cairns

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: 10/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 28/08/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Torode Architects - 6070 - 28H

Application Ref: FULL/2024/1014

Property Ref: C015570000

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 10/10/2027 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/2024/1014
Property Ref: C015570000
Valid date: 28/08/2024
Location: La Jaoniere Rue De La Greve Vale Guernsey
Proposal: Install replacement cladding to all elevations and roof and install replacement garage door to existing agricultural outbuilding/store.

Applicant: Mr & Mrs P Cairns

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 within 3 years from the date of grant of this permission.

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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 site formerly known as 'Le Hurel Vinery' (now in the same ownership as the property to the west, La Jaoniere) is a large, approx. 4325sqm, field which formerly contained three large glasshouses and associated buildings. The glasshouses have become dilapidated and three structures remain on site, barely standing - A garage at the northern end of the field, a pigeon coop along the south of the eastern boundary and a packing shed in the southeast corner. There are neighbouring detached properties to the north and west across the road and across the road to the south. To the east is open fields. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2023/2183 - Demolish existing outbuilding and erect agricultural shed to north of site (revised scheme) – Approved December 2023.

FULL/2022/1703 - Demolish existing outbuildings, erect detached agricultural store to accommodate a small tractor, tools and animal feed – Refused October 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
OC9: Leisure and Recreation Outside of the Centres
GP1: Landscape Character and Open Land
GP8: Design

Conclusion/Brief comment:

This application is to install replacement cladding to all elevations of the existing agricultural building's frame, and install a replacement garage door.

Initially when the previous applications were submitted the whole field was still overgrown and full of weeds, ivy, broken glass and rotten timber (from the collapsed glasshouses). This included the existing agricultural building at the north of the site, which was clad in corrugated iron and covered in ivy with one of the glasshouse frames collapsed onto it. It did not look like it was salvageable, hence the applications for a replacement agricultural store.

The first application was refused as there was not enough information submitted to explain what the land was to be used for. The later approved application supplied a lot more information of what activities were to take place on the land, including a vegetable patch, an orchard, a wildlife patch, bee keeping and chickens.

The land has now been cleared and the other activities are in the process of being introduced onto the land.

Once the existing agricultural building was cleared of ivy and the old corrugated iron was removed, the existing frame of the building was discovered to be in very good condition, the applicant decided to request that the existing building was retained and re-clad, re-using an existing structure rather than replacing it with a new building.

To reuse an existing structure is far more sustainable than demolishing it entirely and building anew. Since the land has been cleared it is much easier to see that the existing structure has a much lower profile than the neighbouring granite garage, and at 4.5m x 6.4m it is slightly bigger than the approved new structure but a little smaller than the previously refused structure.

The proposals to re-clad the existing structure are considered to achieve a good standard of design, using materials which keep the look of an agricultural building. Re-using the existing building will provide adequate space to house all of the necessary equipment for maintaining the land and processing the honey etc.

The scale and massing of the existing building is not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it have any impacts on any 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: 10/10/2024.

