

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: Remove section of earth bank to create agricultural gated vehicle access, install hard standing and cattle grid to east boundary, erect gate and cattle grid to east of agricultural building.

LOCATION: La Ramee Farm, Route De La Ramee, St. Peter Port.

APPLICANT: CIT Holdings Limited

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: 18/12/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 17/09/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners - 10538-S1-14-Rev B, -15-Rev C & -16-Rev A.
Jackson Fencing - J7/02179 & Specification Sheet

Application Ref: FULL/2024/1553

Property Ref: A20910B000+A209160000

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 18/12/2027 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/2024/1553
Property Ref: A20910B000+A209160000
Valid date: 17/09/2024
Location: La Ramee Farm Route De La Ramee St. Peter Port Guernsey
GY1 2TP
Proposal: Remove section of earth bank to create agricultural gated vehicle access, install hard standing and cattle grid to east boundary, erect gate and cattle grid to east of agricultural building.
Applicant: CIT Holdings Limited

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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 comprises of an established dairy farm, and the proposal is for the formation of a new access track onto Route de la Ramee, with gate and cattle grid, along with a new gate and cattle grid to an existing track within the farm.

The site is located within the Agriculture Priority Area and also Outside the Centre, as designated in the Island Development Plan.

Relevant History: None relevant

Existing Use(s):

28 Agricultural Land

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

☐
☒
☒
☒

visual amenity acceptable
no significant material neighbour impact
traffic not affected

☒
☒
☒

Representations:

Two letters of representation have been received regarding the impact of the proposed new access on neighbours.

The concerns centre on the increased noise and disturbance from the new access, the proximity of the access to a shared boundary and the visibility splay which includes the neighbour's front garden. The neighbours request the new driveway to be positioned 10m away from the boundary, with additional planting between to form a buffer.

Policies considered most relevant:

OC5(A): Agriculture Outside of the Centres- within the APA
GP1: Landscape Character and Open Land
GP8: Design
IP9: Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

The application explains that the construction of a new agricultural access will improve the running of the existing dairy farm, as the existing access is shared with an adjacent residential property and is located on a bend which is unsuitable for slow moving agricultural traffic. The new dedicated access will also improve the farms biosecurity and utilises an area of earthbank which has recently been replaced by Guernsey Electricity and is yet to be replanted.

Revised plans were submitted which corrected the scale and therefore showed the correct distance of approx. 2.6m from the closest edge of Bonanza Cottage to the proposed track. This was previously indicated as 0.6m by the original plans which referenced the wrong scale. The revised plans also relocated the cattle grid further back, 14.5m away from the neighbour's house, due to Officer concerns relating to noise and disturbance from the use of the grid by cars/vehicles.

The introduction of a new agricultural access in this location is not considered to result in a significant increase in noise and disturbance above that which can already be reasonably expected within the adjacent agricultural land. The use of agricultural machinery, such as combine harvesters, and animal noise associated with large number of pigs/poultry can currently occur within the adjacent land and could result in considerably more noise than is likely from the proposed access. On this basis, the proposal is not expected to result in a harmful level of noise than can already be reasonably expected on agricultural land.

A new native hawthorn hedge is proposed to the shared boundary with the neighbouring property. Concerns regarding the visibility splay being within the neighbour's control have been noted, however the majority of this is comprised of a granite wall, and traffic using the access will be agricultural which has a higher viewpoint than the average car.

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: 17/12/2024

