

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: Erection of 2 sheds, oil tank and parking area on agricultural land for temporary period (Retrospective).

LOCATION: Le Grand Crolier, Rue De La Trigale, Torteval.

APPLICANT: Mr & Mrs J Maguire

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: 30/10/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 02/10/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Torode Architects: 6149-05B

Application Ref: FULL/2024/1570

Property Ref: G004110000

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. The two sheds and one oil tank hereby permitted shall be removed, the parking shall cease and the land shall be restored to its former condition by 30/06/2025 unless further permission has been granted.

Reason - To ensure the agricultural land returns to its natural state and to protect the visual amenity of the area.

Expiry Date: This permission will cease to have effect on 30/06/2025 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/2024/1570
Property Ref: G004110000
Valid date: 02/10/2024
Location: Le Grand Croler Rue De La Trigale Torteval Guernsey GY8 0PX
Proposal: Erection of 2 sheds, oil tank and parking area on agricultural land for temporary period (Retrospective).

Applicant: Mr & Mrs J Maguire

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.

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. The two sheds and one oil tank hereby permitted shall be removed, the parking shall cease and the land shall be restored to its former condition by 30/06/2025 unless further permission has been granted.

Reason - To ensure the agricultural land returns to its natural state and to protect the visual amenity of the area.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Le Grand Crolier' is a one and a half storey traditional dwelling which is set back from and faces north onto Route de Crolier. There are two neighbouring properties to the northwest and to the north (across the road), east and south are open agricultural fields. The vehicular access is from the west Rue de la Trigale. The property is located Outside of the Centres and within the Agriculture Priority Area as defined in the Island Development Plan.

Relevant History:

FULL/2024/1237 - Demolish extensions and extend and alter dwelling at ground floor and first floor level to north (front) and south (rear) elevations – Approved September 2024.

FULL/2021/0459 - Demolish extensions and extend and alter dwelling at ground floor and first floor level to south, east and north elevations (Revised Scheme) – Approved June 2021.

FULL/2020/1218 - Change of use of agricultural land to domestic garden. Demolish extensions, extend and alter dwelling at ground and first floor levels. Erect garage/car port to south-west of dwelling – Refused November 2020.

Existing Use(s):

Residential use class 1: dwelling house
Agricultural use class 28: agriculture.

Assessment: *(Tick as appropriate)*

no representation	X
accords with policy	X
within curtilage	X
design acceptable	X

visual amenity acceptable	X
no material neighbour impact	X
traffic not affected	X

Policies considered most relevant:

OC5(A): Agriculture Outside of the Centres – within the Agriculture Priority Areas
GP8: Design

Consultations:

Office of Environmental Health and Pollution Regulation.

'I have reviewed the proposed plans for the temporary location of two sheds, an oil tank, and a parking area at the above site, which I note are retrospective. I do not wish to raise any objections to the proposals, however I would like to draw the applicant's attention to guidance issued by this department in relation to the installation of domestic oil tanks. I have attached a copy of the guidance to this letter, and it can also be downloaded from our website: www.gov.gg/pollution.'

Conclusion/Brief comment:

This is a retrospective application to temporarily site two sheds, an oil tank and two parking areas on the agricultural land directly south of the domestic curtilage (within the same ownership) whilst construction works are carried out on the property. The temporary time limit is until the end of June 2025.

The sheds are being used as a site office and to store materials, the oil tank is the only means of heating for the property and will be moved into the domestic curtilage as soon as the construction allows, and the parking is for some of the contractors.

The time period for the retention of the proposed items is approx. nine months, which isn't considered to be too long, conditions will be added to ensure the physical items are removed in a timely manner.

Allowing the sheds and oil tank to be sited on the agricultural land will not have any detrimental impacts on the land due to the short nature of the temporary approval. The proposals are not considered to have any adverse impacts on neighbour amenity or the ongoing use of the APA.

Environmental Health had no comments to make regarding this application other than a suggestion to have a look at the oil tank guidance.

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: 29/10/2024

