

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: Variation to previously approved plans to Demolish existing buildings, change of use of agricultural land to domestic garden, erect 3 dwellings with associated works and alterations to vehicle access and field access - reposition dwellings, regularise footprint, alter roof form, external materials and hardstanding for all 3 units

LOCATION: Keithley Vinery, Rue Sauvage, St. Sampson.

APPLICANT: Les Crabbes Ltd

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: 07/11/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/10/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Mark Frampton & Company - 2022/636/12F, 15C & 16B

Application Ref: FULL/2024/1686

Property Ref: B01780B000

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 on or before 21/06/2027.

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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 21/06/2024, issued under planning application reference FULL/2024/0731, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

Expiry Date: This permission will cease to have effect on 21/06/2027 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/2024/1686
Property Ref: B01780B000
Valid date: 07/10/2024
Location: Keithley Vinery Rue Sauvage St. Sampson Guernsey
Proposal: Variation to previously approved plans to Demolish existing buildings, change of use of agricultural land to domestic garden, erect 3 dwellings with associated works and alterations to vehicle access and field access - reposition dwellings, regularise footprint, alter roof form, external materials and hardstanding for all 3 units

Applicant: Les Crabbes Ltd

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 on or before 21/06/2027.

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).

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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.

4. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 21/06/2024, issued under planning application reference FULL/2024/0731, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

OFFICER’S REPORT

Brief Description of the site:

Keithley Vinery, Rue Sauvage is a vinery site located behind frontage residential development to the east of Rue Sauvage. Access to the site is between two residential properties and runs along the southern site boundary before bearing north to an area of hardstanding to the south of existing glasshouses that are not in active use and to the east and south of the packing shed and boiler house. Land to the south and west of the glasshouses and associated buildings is open and undeveloped land where redundant glasshouses have largely been cleared.

The site is identified in the Island Development Plan as being Outside of the Centres and a redundant vinery site.

Relevant History:

FULL/2024/0731 - Demolish existing buildings, change of use of agricultural land to domestic garden, erect 3 dwellings with associated works and alterations to vehicle access and field access - granted

Pre-application advice was sought in this case.

Existing Use(s):

28 agriculture

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

Island Development Plan policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

GP16(B): Conversion of Redundant Buildings - Demolition and Redevelopment

IP7: Private and Communal Car Parking

Strategy for Nature SPG

Conclusion/Brief comment:

The application seeks to vary the previously approved scheme for the construction of three dwellings on the site. The variations relate to alterations to the approved roof form, the position of the approved porch, regularising the shape of the buildings and changes to hardstanding. The application has been accompanied by supporting information that seeks to explain the changes proposed.

This application does not relate to the principle of the development, which has already been established through the grant of permission earlier in 2024 and this will not therefore be revisited. The assessment will be limited to the changes referred to above.

The changes to the dwellings themselves represent a good standard of design that respects the local built environment and will not have a greater impact on the open landscape.

Although changes are proposed to the extent of hardstanding on the site this is a modest increase and change that will not be unacceptable when considering the aims of Policy GP9 and GP16(B) regarding significant enhancement to sustainable design.

The changes will not have an adverse effect on the approved biodiversity enhancement proposals.

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.

In view of the above the variations proposed are recommended for approval.

Recommendation:

Grant with Conditions



Date: 05/11/2024

