

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: Demolish section of wall, widen and alter gated agricultural vehicle access to north boundary.

LOCATION: Torcamp, Dehus Lane, Vale.

APPLICANT: Mr & Mrs Van Katwyk

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: 24/02/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 19/12/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 6414/A/1a

Application Ref: FULL/2024/2056

Property Ref: C000430000

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.Within 2 months of the partial demolition of the existing roadside wall, the new walls forming the bell mouth entrance and all disturbed works created as a result of the development shall be completed in granite stone to match as closely as possible the type, colour, texture, method of bonding and pointing of the existing roadside wall.

Reason - To ensure the development is completed in a timely manner and in the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 24/02/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, the access which forms the subject of this application is to provide access for agricultural purposes, to the land to the rear of Torcamp and the agricultural land beyond. A separate grant of planning permission would be required should the vehicular access and associated land be used for an alternative use, not falling under agricultural use class 28. Any planting undertaken on the land should ensure retention of access to all agricultural land.

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/2024/2056
Property Ref: C000430000
Valid date: 19/12/2024
Location: Torcamp Dehus Lane Vale Guernsey GY3 5EP
Proposal: Demolish section of wall, widen and alter gated agricultural vehicle access to north boundary.

Applicant: Mr & Mrs Van Katwyk

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).

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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. Within 2 months of the partial demolition of the existing roadside wall, the new walls forming the bell mouth entrance and all disturbed works created as a result of

the development shall be completed in granite stone to match as closely as possible the type, colour, texture, method of bonding and pointing of the existing roadside wall.

Reason - To ensure the development is completed in a timely manner and in the interests of visual amenity.

INFORMATIVES

For the avoidance of doubt, the access which forms the subject of this application is to provide access for agricultural purposes, to the land to the rear of Torcamp and the agricultural land beyond. A separate grant of planning permission would be required should the vehicular access and associated land be used for an alternative use, not falling under agricultural use class 28. Any planting undertaken on the land should ensure retention of access to all agricultural land.

OFFICER'S REPORT

Brief Description of the site:

The application site known as Torcamp comprises a detached dwelling which is located on a corner plot between Dehus Lane and La Miellette Lane. The dwelling-house and outbuilding are located towards the west of the site, with agricultural land to the rear (east).

An existing agricultural access is located towards the north-east corner of the site, which would have been used to serve the horticultural glasshouses at the site in the past, which have since been demolished and removed from the site. It is understood that the vehicle access serves the agricultural land and fields to the south, falling under the same ownership, in addition to the land to the rear of Torcamp.

It is noted that a family member also owns agricultural land and the 'Goat Shed' to the south-east of the site. That agricultural land and Goat Shed are currently accessed by a separate vehicle access, under separate ownership, and therefore relies on a right-of-way over neighbouring land.

Planning permission was originally sought to partially demolish a section of the roadside wall in order to widen and alter the agricultural access, and to install hardstanding, improving the agricultural access and avoiding the need for the Goat Shed to rely on the right of way to the north.

The application was deferred as concerns were raised over the extent of hardstanding on agricultural land. The agent has since removed the hardstanding in an attempt to overcome the issues raised.

Relevant History:

Torcamp - C000430000 – Non germane to this application.

Agricultural land and Goat Shed - C00042A000

FULL/2024/0210	Rescind condition 5 of previously approved FULL/2020/2156 - Erect an agricultural store (revised) - retain agricultural store and alterations to fenestration (part retrospective).	Granted
FULL/2020/2156	Erect an agricultural store (revised).	Granted
FULL/2020/0282	Erect an agricultural store	Refused
PREA/2019/2321	Erect agricultural store.	Pre-application enquiry

Existing Use(s):

Agricultural land.

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 of the Agriculture Priority Areas
GP1 Landscape Character and Open Land
GP8 Design
GP9 Sustainable Development
IP9 Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

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.

The alterations to the existing vehicular access are reasonable as they will help to improve visibility splays, accessibility onto agricultural land, and allow a vehicle to temporarily park off the highway whilst opening the proposed gate.

The proposal will improve highway safety and traffic management and will have a limited negative effect on the landscape character of the area by virtue of the partial loss of the roadside wall.

The agent has omitted the proposed hardstanding on agricultural land.

A new area of native planting is proposed on the drawings. Whilst planting does not in itself constitute development, it is advised that suitable access should be maintained serving the agricultural land to the rear of Torcamp.

Consequently, the proposal will not have a significant detrimental impact on the character of the area, visual amenity, or the amenities of neighbouring residents.

The proposal is supported by Policy OC5(B) as the alterations to the access will serve the agricultural use of the land. An informative regarding the use of the agricultural access should be attached to the decision to clarify the permission.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, accords with the purpose of the Law, and the requirements of the material considerations; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 24/02/25

