

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 condition 9 of FULL/2023/2094 - Section of glasshouse to west boundary to be retained.

LOCATION: Le Grand Fort, Les Salines Road, St. Sampson.

APPLICANT: Mr M Prevel

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: 18/03/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 28/01/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Application Block Plan

Application Ref: FULL/2025/0149

Property Ref: B016470000

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 10/01/2027.

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 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 11/01/2024, issued under planning application reference FULL/2023/2094, and subject to the terms and conditions thereof.

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

4.Prior to the first occupation of the dwelling hereby approved, the building previously approved for conversion under application reference FULL/2019/2258 and the southernmost 15m of the glasshouse located to the north of that building as shown on the approved plan, shall be demolished and removed from the site.

Reason - Permission for the dwelling has only been granted on the basis that it replaces the existing building in accordance with Policy GP16(B) (Conversion of Redundant Buildings - Demolition and Redevelopment), and that the glasshouse is partially removed from the site in accordance with Policy OC7 (Redundant Glasshouse Sites).

Expiry Date: This permission will cease to have effect on 10/01/2027 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/2025/0149
Property Ref: B016470000
Valid date: 28/01/2025
Location: Le Grand Fort Les Salines Road St. Sampson Guernsey GY2 4RQ
Proposal: Variation to condition 9 of FULL/2023/2094 - Section of glasshouse to west boundary to be retained.
Applicant: Mr M Prevel

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 10/01/2027.

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 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 11/01/2024, issued under planning application reference FULL/2023/2094, and subject to the terms and conditions thereof.

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

4. Prior to the first occupation of the dwelling hereby approved, the building previously approved for conversion under application reference FULL/2019/2258 and the southernmost 15m of the glasshouse located to the north of that building as shown on the approved plan, shall be demolished and removed from the site.

Reason - Permission for the dwelling has only been granted on the basis that it replaces the existing building in accordance with Policy GP16(B) (Conversion of Redundant Buildings - Demolition and Redevelopment), and that the glasshouse is partially removed from the site in accordance with Policy OC7 (Redundant Glasshouse Sites).

OFFICER'S REPORT

Brief Description of the site:

The application site ownership encompasses a dwellinghouse known as Le Fort. The curtilage of Le Fort extends approximately 60m back from the roadside, and omits a strip of land to the west, containing a former packing shed and a span of glass along that boundary. That land is recognised as agricultural.

The application site ownership is located to the north of Les Salines Road and is bounded by a residential property to the west and agricultural land to the north, east and across the road to the south.

The whole of the dwelling known as Le Fort is protected, together with the roadside wall and railings immediately to the front of the building.

The site is located Outside of the Centres in the Island Development Plan.

Relevant History:

FULL/2019/2258 Convert packing shed to dwelling, erect porch to east elevation.
Demolish section of glasshouse. Approved 23/12/2020

FULL/2023/2094 Demolish existing building and erect dwelling with associated works and widen vehicle access (revised scheme). Approved 11/01/2024

Existing Use(s):

Agricultural Use Class 28

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:

OC1 Housing Outside of the Centres

OC5(B) Agriculture Outside of the Centres – Outside of the Agriculture Priority Areas

OC7 Redundant Glasshouse Sites

GP1 Landscape Character and Open Land

GP5 Protected Buildings

GP8 Design GP9 Sustainable Development

GP15 Creation and Extension of Curtilage

GP16(A) Conversion of redundant buildings

GP16(B) Conversion of redundant buildings – Demolition and Redevelopment

Conclusion/Brief comment:

Under the previous applications for the creation of a new dwelling at this site it was established that, due to the remaining span of glass on the site, the proposal must be considered against the requirements of Policy OC7 (Redundant Glasshouse Sites). The proposals were found to meet the requirements of that policy, subject to demolition of the glasshouse, and the decision was therefore conditioned as follows (Condition 9):

Prior to the first occupation of the dwelling hereby approved, the building previously approved for conversion under application reference FULL/2019/2258 and the glasshouse located to the north of that building, both shown to be demolished on the approved plan, shall be demolished and removed from the site.

Reason - Permission for the dwelling has only been granted on the basis that it replaces the existing building in accordance with Policy GP16(B) (Conversion of Redundant Buildings - Demolition and Redevelopment), and that the glasshouse is removed from the site in accordance with Policy OC7 (Redundant Glasshouse Sites).

This application continues to propose the demolition of the southernmost 15m of the glasshouse, but seeks to retain the remainder of the structure, for small scale growing. It is stated that no additional structures would be required to support the ongoing use of the retained section of glasshouse.

Policy OC7(iv) allows for the retention of glasshouses where they are capable of being used for a use in accordance with the relevant policies of the Island Development Plan. The section of glasshouse to be retained is located on agricultural land, outside of both the recognised curtilage of Le Fort and that of the new dwelling approved under FULL/2023/2094. The structure is set to the rear of the roadside development and that development, together with roadside boundary planting, screens the glasshouse in public views. Retention of the glasshouse would comprise an ongoing use of agricultural land for purposes falling within the definition of agriculture and would not result in any adverse impacts on landscape character and openness.

In light of the above, it is found that retention of part of the glasshouse as proposed would meet the terms of Plan policy and it is recommended that Condition 9 is varied as follows:

Prior to the first occupation of the dwelling hereby approved, the building previously approved for conversion under application reference FULL/2019/2258 and the southernmost 15m of the glasshouse located to the north of that building as shown on the approved plan, shall be demolished and removed from the site.

Reason - Permission for the dwelling has only been granted on the basis that it replaces the existing building in accordance with Policy GP16(B) (Conversion of Redundant Buildings - Demolition and Redevelopment), and that the glasshouse is partially removed from the site in accordance with Policy OC7 (Redundant Glasshouse Sites).

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: 14/03/2025