

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: Install hardstanding to create agricultural tracks to south and east of site (retrospective).

LOCATION: Land at Le Gardinet, Ruelle Des Fries & Ruelle Des Cherfs, Castel.

APPLICANT: Mr & Mrs J Regnard

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: 27/06/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/11/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton Architects - 2467/03.01, 02A, 03.03 & 03.04.

Application Ref: FULL/2024/1740

Property Ref: D013150000+D013190000+D012770000

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 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.

3.The section of track/hard standing situated along the south boundary, adjacent to the temporary stables approved under application FULL/2024/1045, and as hatched red on plan 2467/03.04, is hereby granted permission for a limited period expiring on 22/01/2028 or within 3 months of the removal of the temporary stables approved under application FULL/2024/1045, whichever is the sooner, by which time the track/hard standing hereby permitted shall be removed and the land reinstated to its former condition as agricultural land, within 3 months of its removal, in accordance with a scheme of work previously agreed in writing by the Authority.

Reason - The development is required to meet a declared short term need. The site is within an Agriculture Priority Area and the retention of an area of hardstanding of this extent on a permanent basis has the potential to impact on the use of the land for agricultural purposes.

Expiry Date: This permission will cease to have effect on 26/06/2028 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/2024/1740
Property Ref: D013150000+D013190000+D012770000
Valid date: 13/11/2024
Location: Land at Le Gardinet Ruette Des Fries & Ruette Des Cherfs
Castel Guernsey GY5 7PW
Proposal: Install hardstanding to create agricultural tracks to south and
east of site (retrospective).

Applicant: Mr & Mrs J Regnard

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 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.

3. The section of track/hard standing situated along the south boundary, adjacent to the temporary stables approved under application FULL/2024/1045, and as hatched red on plan 2467/03.04, is hereby granted permission for a limited period expiring on 22/01/2028 or within 3 months of the removal of the temporary stables approved under application FULL/2024/1045, whichever is the sooner, by which time the track/hard standing hereby permitted shall be removed and the land reinstated to its former condition as agricultural land, within 3 months of its removal, in accordance with a scheme of work previously agreed in writing by the Authority.

Reason - The development is required to meet a declared short term need. The site is within an Agriculture Priority Area and the retention of an area of hardstanding of this extent on a permanent basis has the potential to impact on the use of the land for agricultural purposes.

OFFICER'S REPORT

Site Description:

The site consists of an area of agricultural land comprising of a series of agricultural fields with an agricultural building to the east of the site and an agricultural building and temporary stables along the south boundary. The site is situated within an Agriculture Priority Area and is Outside of the Centres.

Under the same ownership to the west is a traditional farmhouse and outbuildings of varying age including stable blocks. The farmhouse and an outbuilding is a protected building.

Relevant History:

24/01/2025 – FULL/2024/1045 – Permission granted to erect temporary stables to south boundary (retrospective) (revised scheme).

15/01/2025 - FULL/2024/0983 – Permission granted to demolish existing agricultural building, erect replacement agricultural building/store to south boundary.

15/01/2025 – FULL/2024/1732 – Permission granted to erect retaining wall on agricultural land (retrospective).

28/08/2024 - FULL/2024/1047 - Application refused to erect gates to agricultural field to north (roadside) and internal field boundary to east and west of site (retrospective).

24/11/2023 – FULL/2023/1439 – Application refused to erect 2 stables to east of site for a temporary period.

D1319

19/09/2024 – FULL/2024/1298 – Permission granted to install hardstanding laid on agricultural land (Retrospective).

D1277

27/06/2024 – FULL/2023/1434 – Permission granted to demolish stables and outbuildings and erect stables to east of existing stables (revised) (Protected Building).

Existing Use(s):

Agriculture use class 28

Brief Description of Development:

Retrospective planning permission is requested to install hardstanding to create 3 sections of agricultural tracks. The tracks are constructed with a geotextile membrane, a 150mm hardcore sub base and a 50mm grey hoggin surface.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

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

Policy OC9: Leisure and Recreation Outside of the Centres

Policy GP1: Landscape Character and Open Land

Policy GP5: Protected Buildings

Policy GP8: Design

Policy GP9: Sustainable Development

Representations:

One representation objecting to the application was received, main points as follows:

- Historical cart tracks where ground was simply compacted was easily convertible back to arable land.
- Proposed tracks are larger than and not aligned with historic tracks.
- The extent of the tracks far exceeds historic tracks resulting a significantly reduced area of agricultural land and the construction of the tracks is not easily reversible.
- Concerned about works on the land have contributed to flooding in parts of Ruelle des Cherfs.

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. The principle of the development
2. The design and impact on the landscape character and openness of the area

Assessment against:

- 1 - Purposes of the law.
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

- 3 - General material considerations set out in the General Provisions Ordinance.**
4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The 2 proposed tracks orientated north to south follow longstanding tracks and provide access between the public highways and existing or approved agricultural buildings and a temporary stables. The tracks running east to west are situated at the southern edge of the fields and provide access between the approved stables at Le Gardinet and the approved agricultural building and temporary stables. The tracks are largely situated adjacent to earth banks or walls, thereby minimising the impact on the use of the land for agricultural purposes. In addition, the agent notes that the tracks are reversible and can be removed once/if no longer required.

However, the exception to this is the proposal to retain an area of hard standing at the southern edge of the field approximately 9m deep across the entire width of the field once the temporary stables are removed. No justification has been submitted regarding the retention of such a large expanse of hardstanding and there appears to be no agricultural justification to retain this section of hardstanding. As a result, it is recommended that the 9m deep section of hardstanding at the southern end of the field is approved on a temporary basis until 22/01/2028 or until the temporary stables are removed, to coincide with the approved temporary stables. Once the temporary stables have been removed this section of hard standing should be reduced/removed to form a track adjacent to the south boundary in order to minimise the impact on the use of the land for agricultural purposes.

Over time the visual impact of the tracks should soften as vegetation encroaches and establishes along the tracks, with this being evident since the tracks were first installed in April 2024. Together with the siting of the tracks, which are largely situated adjacent to earth banks or walls, the proposal is unlikely to have a significant adverse effect on the landscape character and openness of the area.

Due to their scale and nature, the tracks/hard standing is unlikely to have a significant adverse effect on drainage.

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.

It is recommended that the application is approved.

Date: 25/06/2025

