

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: Alter ground levels and infill douit to south of site (retrospective).

LOCATION: Land at Vau P'tites Ouaies, Route Des Blicqs, Forest.

APPLICANT: Mr N & Mrs S Gosling

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: 06/03/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/12/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Viage: 22004-002

Application Ref: FULL/2024/2015

Property Ref: H006520000

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.

Expiry Date: This permission will cease to have effect on 05/03/2028 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/2024/2015
Property Ref: H006520000
Valid date: 23/12/2024
Location: Land at Vau P'tites Ouaies Route Des Blicqs Forest Guernsey
Proposal: Alter ground levels and infill douit to south of site (retrospective).

Applicant: Mr N & Mrs S Gosling

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.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Vau P'tites' is a two storey granite property from at least the 18th century.

The front façade faces northwest directly onto Route des Blicqs with a vehicular entrance to the northeast of the front boundary and a thin gravel strip of amenity space to the rear of the property, bounded by a large hedge.

To the rear (east) of the dwelling lies an agricultural field in the same ownership. A douit runs in a south-north direction across the agricultural land.

To the southwest, southeast and northeast are adjacent agricultural fields and across the road to the northwest is an old farmstead.

The property is located Outside of the Centres as defined in the Island Development Plan.

Planning permission was granted in 2024 to remove a section of hedging along the south-east boundary, and replace it with native hedging (FULL/2024/1526).

Retrospective permission is sought to alter the ground levels and to culvert a douit. The works include culverting the douit, and raising the land by approximately 1.1m. The land in question is immediately south of the boundary hedge which defines the domestic curtilage of the property. The douit and field are recognised as agricultural land.

The application is supported by correspondence from Guernsey Water.

The application was deferred to clarify the proposal. The applicant has provided additional information and revised plans in attempt to address the reasons for deferral.

The letter by the applicant’s agent (dated 17th February) *notes that the culvert pipe was to improve the water management in the area. Covering the culvert was necessary to ensure ground stability and maintain a consistent land level, mitigating any risk of watering logging or instability. The culvert pipe maintains the existing water flow capacity, ensuring no adverse impact on drainage. The culvert pipe was sized at 18 inches as per Guernsey Water’s specifications to ensure unimpeded water flow. Additionally, a manhole was installed at the inlet for maintenance access, as requested by Guernsey Water.*

Relevant History:

FULL/2024/1526	Remove section of hedge to field boundary to south-west of property.	Granted
PREA/2016/1325	Demolish lean-to greenhouse and erect a single storey garage and a summer house. Remove section of hedge and create access to agricultural field.	Pre-application enquiry

Existing Use(s):

Agriculture

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:

GP1 Landscape Character and Open Land
GP4 Conservation Area
GP8 Design
GP9 Sustainable Development
OC5(A): Agriculture Outside of the Centres – within the Agriculture Priority Areas

Consultation:Guernsey Water's comments:

Following a review of the matter concerning the Douit at the above property, I would like to inform you that Guernsey Water has no further comments to make at this time.

It appears that the Douit has been successfully piped inline with discussions previously held in our email correspondence dated 1 October 2021, which was sent by Guernsey Water to the owners of the property.

La Societe Guernesiaise's comments:

In respect of this application, we would like to highlight that douits typically host a range of plants and associated biodiversity. Similarly, seasonally wet areas are often botanically rich.

It is likely that the works which have been undertaken have resulted in a net ecological loss overall and therefore have not met the requirements of the local Strategy for Nature. It may be advisable for the douit and other areas to be reinstated. If this is no longer feasible, we would recommend that appropriate mitigation measures are undertaken.

La Société Guernesiaise would be able to provide advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg

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 douit is located along the edge of the agricultural field, immediately adjacent to a hedgerow which forms the border with the neighbouring property.

The retrospective works involve pipping the douit and to cover with soil, rather than divert the watercourse. Guernsey Water are satisfied with the retrospective works carried out.

Whilst raising agricultural land may ordinarily raise concerns over the potential use of the site for commercial agricultural purposes, the douit in this case is immediately adjacent to a hedgerow and the area adjacent to the douit would naturally be unusable for machinery. Consequently, raising the land in this case is not considered to have a significant detrimental effect on the agricultural use of the land as a whole, despite being in an Agriculture Priority Area.

The proposed works will have a negligible effect on the landscape character or amenity of the area.

The revised plans received shows that the existing boundary hedge will not be removed, nor does the application involve a change of use of land.

The comments from La Société Guernesiaise have been noted although the works do not require a change of use of land and therefore the Strategy for Nature is not engaged. The impact on the landscape character has been considered as set out above.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 27/02/25

