

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: Variations to works previously approved to demolish existing building and store and erect dwelling with associated works and change of use of agricultural land to domestic garden (300sqm) - Alterations to access track.

LOCATION: Les Rouvets Vinery, Rue De L'Arquet, St. Saviour.

APPLICANT: Mr P Strachan

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: 15/05/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 19/03/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton Architects: 03.01B

Application Ref: FULL/2025/0405

Property Ref: E009340000

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 06/12/2027.

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 06/12/2024, issued under planning application reference FULL/2024/0980, and subject to the terms and conditions thereof.

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

Expiry Date: This permission will cease to have effect on 06/12/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this permission does not confer any consent for any change of use of land. The existing and approved location of the track remain classified within Agricultural Use Class 28 in the Land Planning and Development (Use Classes) Ordinance, 2017.

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/2025/0405
Property Ref: E009340000
Valid date: 19/03/2025
Location: Les Rouvets Vinery Rue De L'Arquet St. Saviour Guernsey GY7 9NE
Proposal: Variations to works previously approved to demolish existing building and store and erect dwelling with associated works and change of use of agricultural land to domestic garden (300sqm)
- Alterations to access track.

Applicant: Mr P Strachan

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 06/12/2027.

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 06/12/2024, issued under planning application reference FULL/2024/0980, and subject to the terms and conditions thereof.

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

INFORMATIVES

For the avoidance of doubt, this permission does not confer any consent for any change of use of land. The existing and approved location of the track remain classified within Agricultural Use Class 28 in the Land Planning and Development (Use Classes) Ordinance, 2017.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises the former Tropical Gardens, which closed in the 1990s. The Tropical Gardens were recognised as a horticultural use, for the growing of exotic plants, and the visiting members of the public were considered an ancillary function of that use. The site was never classified as an independent tourist use.

All glasshouses were cleared from the site in the 1990s and the site now comprises c2 acres of agricultural land with remaining associated buildings limited to those adjacent to the south boundary. Permission was granted in 2017 for the conversion of the former buildings in the north-east corner to a dwellinghouse, and subsequently in 2021 for the demolition of those buildings and construction of a dwellinghouse, and that part of the site now falls under separate ownership. That dwellinghouse is now occupied. The buildings to the south of the site are accessed via a long track across the agricultural land and comprise a single storey timber clad structure, which forms the subject of this application, and an open sided barn. Permission has been granted for the demolition of those structures and the construction of a new dwellinghouse in that location.

The site is located Outside of the Centres, within an Agriculture Priority Area, in the Island Development Plan.

Relevant History:

FULL/2017/2742 Extend and alter packing shed in north-east corner of site to create new dwelling and change of use of horticultural land to domestic curtilage.
Approved 20/12/17

FULL/2018/3113 Demolish store and convert outbuilding which forms the subject of the current application into dwelling. Refused 25/11/19

FULL/2020/1468 Demolish existing packing shed (north-east of site) and erect a replacement dwelling. Approved 07/06/21

FULL/2022/0343 Convert outbuilding which forms the subject of the current application to a dwelling. Approved 07/02/2023

FULL/2024/0980 Demolish existing building and store and erect dwelling with associated works and change of use of agricultural land to domestic garden (300sqm). Approved 06/12/2024

Existing Use(s):

Agricultural Use Class 28

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:

OC5A Agriculture Outside of the Centres – within the Agriculture Priority Areas

GP8 Design

IP9 Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

The track which forms the subject of this application remains agricultural land, falling outside of the authorised curtilages of the residential properties at the site.

The proposed alterations to the alignment of the track would be limited and would not result in significant encroachment on to the usable agricultural land. The alterations are set within the site, away from the access on to the adjacent highway and would not have any impacts on road safety. The bank along the inside of the track is to be reinstated and the finish is to remain as existing. The proposal would not therefore give rise to any adverse visual impacts and would not impact on the character of the wider area.

The land on which the track currently sits is shown as part of the ownership of the agricultural land and site to the south, and outside of the ownership of the residential property to the north-east. It does however abut the boundary of the

property to the north-east and, for the avoidance of doubt, it is advised that this permission does not confer any consent for a change of use of that land, which would remain agricultural.

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: 14/05/2025