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: Widen existing agricultural vehicle access, install hardstanding and earth-bank and create new vehicle access to south boundary for temporary period.

LOCATION: Le Traveresain (field), Le Mont Durand, St. Martin.

APPLICANT: Mrs S Jones

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: 16/06/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/05/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JM Design Limited - 2415-02 PD/01, 02

Application Ref: FULL/2025/0683

Property Ref: J015320000

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.The works hereby approved to widen the access to Le Mont Durand to 3.6m wide, lay hardsurfacing across the agricultural land and form a 4m wide access in the south boundary earthbank shall commence only immediately prior to the commencement of work approved under application reference FULL/2025/0684. Within two weeks of the temporary access being created or the widening of the existing access hereby approved, whichever is the sooner, written confirmation of the commencement of this permission must be provided to the Authority.

Reason - To avoid undue harm to the character and appearance of the rural area and impact on agricultural land within the Agriculture Priority Area.

5.All reinstatement works hereby approved (the formation of the 2.7m wide access to Le Mont Durand, removal of hardstanding and associated materials across the agricultural land and infill of the 4m section of earthbank in the south site boundary) must be fully completed and materials removed from the site immediately following the completion of the works associated with application reference FULL/2025/0684 or within six months of the confirmed date of the commencement of works as required by condition 4 above whichever is the sooner, unless otherwise agreed in writing by the Authority. The replacement earthbank shall be constructed only in accordance with the details contained on page 3 of the published Earthbanks Advice Note.

Reason - Given the temporary nature of the approved development, to define the timeframe of this permission and to conserve the character and appearance of the rural area in the interests of visual amenity of the area.

Expiry Date: This permission will cease to have effect on 15/06/2028 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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2025/0683
Property Ref:	J015320000
Valid date:	12/05/2025
Location:	Le Traveresain (field) Le Mont Durand St. Martin Guernsey
Proposal:	Widen existing agricultural vehicle access, install hardstanding and earth-bank and create new vehicle access to south boundary for temporary period.
Applicant:	Mrs S Jones

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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.

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Reason - To avoid undue harm to the character and appearance of the rural area and impact on agricultural land within the Agriculture Priority Area.

5. All reinstatement works hereby approved (the formation of the 2.7m wide access to Le Mont Durand, removal of hardstanding and associated materials across the agricultural land and infill of the 4m section of earthbank in the south site boundary) must be fully completed and materials removed from the site immediately following the completion of the works associated with application reference FULL/2025/0684 or within six months of the confirmed date of the commencement of works as required by condition 4 above whichever is the sooner, unless otherwise agreed in writing by the Authority. The replacement earthbank shall be constructed only in accordance with the details contained on page 3 of the published Earthbanks Advice Note.

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OFFICER'S REPORT

Brief Description of the site:

La Traveresain field is situated to the east of Le Mont Durand and west of Route de Jerbourg. It is narrow from the access point in Le Mont Durand and widens towards the east and Route de Jerbourg. A handful of residential properties are situated to the immediate south of the narrow part of site. The land to the north and south of the wide and open part of this field, adjacent to Route de Jerbourg is also open and undeveloped agricultural land.

A field access from Route de Jerbourg exists into the field to the immediate north of Le Traveresain Field. A connecting field access between this field to the north (separate ownership) and the field within the applicants ownership/control, adjacent to the east roadside boundary but within the site.

The site is located Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan.

The application relates to the temporary widening of the existing field access in Le Mont Durand from c. 2.7m to 3.6m wide, to lay hardcore as a 4m wide hardsurfaced track along the south site boundary (c.38m long), and to create a 4m wide access from the field to the residential property known as Le Vier. The 4m wide access is indicated to be temporary, formed by removing a section of earthbank, and is proposed in connection with the building works approved in connection with the redevelopment of the part of the site currently occupied by a shed (see FULL/2025/0684). The soil removed in connection with the formation of the access and creation of an area of hardstanding, for the duration of works, is shown to be stored adjacent to the north site boundary in an earthbank form no more than 1m high.

The application has been accompanied by a supporting letter setting out that the works would be in place for a maximum of 6 months and explaining that there are concerns relating to the existing access at Le Vier itself due to topography and land drainage with the garden can be saturated at times. The limited width of the existing driveway is also highlighted and so would have also required temporary alteration in association with the development at Le Vier and any planned route through the garden would exceed a more direct path over La Traveresain field. The submission outlines that the hardcore will be laid over a permeable separating layer to ensure that the existing subsoil does not become contaminated. All topsoil is to be set aside to be reinstated following the completion of works and removal of hardcore.

Relevant History:

Le Vier Cottage

FULL/2025/0684 - Demolish shed, erect single storey outbuilding/shed with pergola to west elevation to north boundary – granted

FULL/2022/1779 - Demolish extension, erect 1.5 storey extension with glazed link at first floor level and pergola to north (rear) elevation – granted

Existing Use(s):

01 dwellinghouse
28 agriculture

Assessment: *(Tick as appropriate)*

no representation	x	visual amenity acceptable	x
accords with policy	x	no material neighbour impact	x
within curtilage		traffic not affected	x
design acceptable	x		

Policies considered most relevant:

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

Conclusion/Brief comment:

To widen the existing, narrow, vehicular access onto Le Mont Durand will help facilitate access to the site for a variety of vehicles given the narrow width of the lane and would not conflict with the aims of Policy OC5(A). The alteration proposed will not have a detrimental impact on the landscape character, particularly given its short term and temporary nature. Removing a 4m wide section of earthbank for the duration of works will not be highly visible from outside the site, and is proposed to be reversed after a short time. Both the widening of the existing access and formation of a temporary access comply with Policies GP1 and GP8 of the IDP.

To lay hardstanding across the agricultural land will alter its character and appearance from Le Mont Durand but will not impact unduly on views from Route de Jerbourg. The area that is the subject of this application is narrow (c.10m) but this does not mean it could not be suitable for agricultural use e.g. grazing. It is recognised through the 2018 Habitat Survey as being Improved Grassland. The works proposed would however, be for a temporary period and would not result in the long term loss of agricultural land from within the Agriculture Priority Area. Subject to appropriate measures, such as those listed in the submission regarding the setting aside of topsoil and using a permeable Terram layer to protect the subsoil from contamination this aspect of the proposal complies with the requirements of the IDP.

The physical alterations will not have an unacceptable adverse impact on the amenities of the adjoining occupiers. Although outlook may be affected by the proposed hardstanding this would not be sufficient to warrant the refusal of permission and is for a temporary period only. For the duration of development works there would be a greater level of activity on the site than currently exists however, this is a necessary part of development and will not result in lasting or unacceptable nuisance. An informative note may be placed on this permission encouraging the applicant/developer to consider the timings of works/deliveries etc. to limit their impact on the amenities of adjoining occupiers.

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.

In view of the above, and subject to conditions, it is recommended permission is granted.

Recommendation:
Grant with Conditions

x

Date: 16/06/2025