

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: Erect agricultural shed to north boundary and alterations to ground levels to east of site (retrospective).

LOCATION: Les Forgettes, Rue De La Petite Hurette, Castel.

APPLICANT: Mr C Pohl

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: **24/10/2025**

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/08/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Plan, Aerial View & Cross Section drawings, Shed Details

Application Ref: FULL/2025/0953

Property Ref: D001290000

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 shed hereby approved shall be used for purposes ancillary to the agricultural or horticultural use of the land only and within six months of the date when use of the site for such purposes ceases, or such other period previously agreed in writing by the Authority, the shed and any associated structures shall be removed from the site.

Reason - Permission for the shed has been granted only on the basis that it is required in association with the agricultural/horticultural use of the land. There is no justification to retain the building if there is no longer any agricultural/horticultural use of the land.

Expiry Date: This permission will cease to have effect on 23/10/2028 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/2025/0953
Property Ref: D001290000
Valid date: 11/08/2025
Location: Les Forgettes Rue De La Petite Hurette Castel Guernsey
Proposal: Erect agricultural shed to north boundary and alterations to ground levels to east of site (retrospective).

Applicant: Mr C Pohl

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.

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Reason - Permission for the shed has been granted only on the basis that it is required in association with the agricultural/horticultural use of the land. There is no justification to retain the building if there is no longer any agricultural/horticultural use of the land.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a field located to the south of Rue de la Petite Hurette. The site boundaries are well vegetated and levels change significantly across the site, higher along the east boundary and rising to the south. Numerous trees have been planted within the site area.

The site is surrounded by open fields and is located within an Agriculture Priority Area, Outside of the Centres within the Island Development Plan. Permission has been granted for the erection of a stables on the land immediately to the north-west of the application site.

Relevant History:

None in respect of this site.

D001300000 – Land immediately to north-west.

FULL/2023/0923 Erect stable block, earth bank, fence and gate, hardstanding to east of the site and erect fence to south-west boundary. Refused 22/09/2023

FULL/2024/0411 Erect stables block and storage building. Approved 23/04/2024

Existing Use(s):

Agricultural

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:

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

Representation:

One letter of representation received noting that no information is provided to demonstrate why this shed or land raising are required.

Conclusion/Brief comment:

Retrospective permission is sought for the erection of a 3.5m x 2.3m x 2.42m (high) shed in the north-east corner of the site and for an increase in ground levels along a section of the east boundary.

The Land Planning and Development (Exemptions) Ordinance allows for the erection of small scale sheds on agricultural land, where certain criteria are met. In this case the shed exceeds the size permitted under that Ordinance and permission is therefore required. The shed is however of limited size and discretely located in the north-east corner of the site. Following deferral, the applicant has clarified that the land is used for growing of fruit-bearing trees, of a number which are approaching a commercial quantity, and that the shed would support this use. The shed is peripheral to the land holding and would not impact significantly on any potential agricultural use of the land and, although located immediately adjacent to and above the adjacent road, is well screened from outside of the site by the roadside vegetation and the applicant has committed to supplementing this boundary adjacent to the shed to ensure screening is retained. The impact is not however such that it is considered necessary to make this a condition of the decision. The shed would not therefore have any adverse impacts on agricultural activity within the Agriculture Priority Area and would not have any adverse visual impacts. It is however recommended that any decision issued be conditioned to ensure removal should the agricultural need for the shed cease.

An area of land has been raised along the east boundary of the site. Following deferral, it has been explained that this area previously comprised a rocky outcrop and could not be productively used either for planting or grazing. The land was therefore raised to allow for additional planting. The alterations undertaken do alter the natural contours of the landscape, however the area in question is limited in scale and of very limited visibility in public views. The land raising does not therefore significantly alter the landscape character of the area. Given the limited size of the area on which the raising has occurred, the existing topography of the site and extent of tree planting which has been undertaken across the land, together with the peripheral location adjacent to the site boundary and the stated purpose of the works, the proposal would not prejudice the agricultural use of the site.

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: 23/10/2025