

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: Change of use of agricultural land to domestic garden (612sqm). Erect single storey extension to south (rear) elevation, alterations to fenestration.

LOCATION: La Rocquette, La Rocquette, Castel.

APPLICANT: Mr S Crittell

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: 25/09/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/07/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Arch+ - 225-3-301A, 302A, 303A

Application Ref: FULL/2025/0975

Property Ref: D008150000

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.(a) Prior to 31/12/2025, full details of the proposed planting including the species, sizes at the time of planting, numbers and densities of plants shall be submitted to and approved in writing by the Authority.

(b) The planting shall be planted in accordance with the approved details under (a) above and the bug hotels shall be installed in the positions shown on the approved drawing in the first planting season following the grant of this permission or by the 31/03/2026. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - In the interests of biodiversity interest having regard to the Strategy for Nature SPG.

Expiry Date: This permission will cease to have effect on 24/09/2028 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/2025/0975
Property Ref: D008150000
Valid date: 15/07/2025
Location: La Rocquette La Rocquette Castel Guernsey GY5 7AU
Proposal: Change of use of agricultural land to domestic garden (612sqm). Erect single storey extension to south (rear) elevation, alterations to fenestration.

Applicant: Mr S Crittall

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 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. (a) Prior to 31/12/2025, full details of the proposed planting including the species, sizes at the time of planting, numbers and densities of plants shall be submitted to and approved in writing by the Authority.

(b) The planting shall be planted in accordance with the approved details under (a) above and the bug hotels shall be installed in the positions shown on the approved drawing in the first planting season following the grant of this permission or by the 31/03/2026. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - In the interests of biodiversity interest having regard to the Strategy for Nature SPG.

OFFICER'S REPORT

Site Description:

The application site comprises a detached bungalow situated to the south of and accessed via La Rocquette. Surrounding the site the area comprises agricultural land to the south with residential properties to the north, east and west.

The site is situated Outside of the Centres as designated in the Island Development Plan.

Relevant History:

PAPP/1998/1430	Fell eight Conifer trees	Granted 05/05/1998
PAPP/1992/0296	Erect one dwelling	Granted 18/06/1992

Existing Use(s):

Residential – property and garden area;
Agriculture – remaining land

Brief Description of Development:

Planning permission is sought for the change of use of a parcel of agricultural land measuring approximately 612m² to domestic land associated with the dwelling La Rocquette, to erect a single storey extension to the south (rear) elevation and alterations to the existing fenestration.

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

Policy OC5(B): Agriculture Outside of the Centres – outside the Agriculture Priority Areas

Policy GP1: Landscape Character and Open Land

Policy GP8: Design

Policy GP15: Creation and Extension of Curtilage

Representations:

One letter of representation has been received from La Societe Guernesiaise who by email dated 02/09/2025 stated the following:

“La Societe remains concerned over the reclassification of agricultural land to domestic curtilage. However, as the Island Development Plan currently permits the consideration of such applications, we seek to optimize ecological gains in such cases wherever possible.

Due to personal commitments over recent weeks, we were unable to view this application during the 21 days and therefore cannot determine if any biodiversity measures were included or if they were adequate in relation to the scale of proposed curtilage extension.

We wish to advise that La Societe would be able to assist with matters relating to biodiversity measures, for example to arrange surveys of the existing site and to provide suitable recommendations on how the land could be enhanced in terms of its ecological value by appropriate native planting and ongoing maintenance.”

Consultations:

By letter dated 6th August 2025 stated the following:

I have reviewed the proposed plans for La Rocquette which were received by email on 29th July 2025 and there are a number of issues of concern that I must raise. The site has hosted heated greenhouses, I would be concerned for land contamination from this use. As the greenhouses were heated there is potential for land contamination from hydrocarbons. I would also be concerned for contamination from the agricultural use, contamination from pesticides is likely and also from metals, specifically but not limited to lead. Therefore, I recommend that the Planning Authority apply a full contaminated land condition to any permission granted.

Potential Land Contamination:

Please note this is one condition with multiple sub-sections:

- (i) No development shall commence on site (including demolition and site works) until there has been submitted to and approved in writing by the Authority:

(a) A desktop study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Land Contamination Risk Management (LCRM) and BS10175:2001+A2:2017 - Investigation of Potentially Contaminated Sites - Code of Practice;

and unless otherwise agreed in writing by the Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;

and, unless otherwise agreed in writing by the Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) If determined to be required the development hereby permitted shall not be occupied or brought into use until there has been submitted to the Authority verification by a competent person approved under the provisions of subsection (i)c of this condition that any remediation scheme required and approved under the provisions of subsection (i)c of this condition has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Authority in advance of implementation). Unless otherwise agreed in writing by the Authority such verification shall comprise:

- a) as built drawings of the implemented scheme;
- b) photographs of the remediation works in progress;
- c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under subsection (i) c. of this condition”

Informatives/Advice Notes

With reference to condition X a desktop study shall be the very minimum standard accepted. Pending the results of the desktop study, the applicant may have to satisfy the requirements of criteria (b) and (c) of that condition, however, this will all be confirmed in writing.

The phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy.

The site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

It is strongly recommended that in submitting details in accordance with the above condition that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.

Discovery Strategy

- If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.*

Summary of Issues:

The main issues in deciding this application are:

- the impact on the landscape character and openness of the area,
- whether the design of the extension is acceptable; and
- the impacts of the proposal on the amenities of neighbouring properties.

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 proposal extension to the domestic curtilage falls to be considered principally under Policies GP15 and GP1 of the Island Development Plan. The extension and alterations to the dwelling fall to be considered under Policies GP8 and GP9.

The site is not within an Area of Biodiversity Importance or an Agriculture Priority Area and the proposed change of use would not of itself have an adverse impact on or affect the amenities of neighbouring residents. The land in question relates to a relatively small section/slither of land along the eastern boundary of the site adjacent to the boundary shared with the neighbouring property. Due to its position to the rear of the property and surrounded to the east and west by neighbouring properties, the proposal would not be seen from public vantage points within the surrounding area. The boundaries of the site are also well established and the proposal is therefore unlikely to have an unacceptable detrimental impact on the landscape character or openness of the area.

Although the site is not located in an Area of Biodiversity Importance, in line with the States' Strategy for Nature, 2020, which has been adopted as Supplementary Planning Guidance, the application must be accompanied by information demonstrating environmental benefits in respect of biodiversity that will be incorporated should planning permission be granted. This should relate to biodiversity benefits within the proposed area of domestic garden.

The application drawings show enhancements proposed including the establishment of a wildflower meadow to improve existing grassland habitats, reinforced border planting, and the installation of three bug hotels. The planting proposed is native to Guernsey and is consistent with current Guidance, however, no details of the density of planting has been provided and to ensure that this is appropriate to offer good opportunities for biodiversity enhancements it is recommend that further details be secured by condition. Subject to this condition and a condition ensuring that the planting is achieved in a timely manner (by the end of the first planting season following the grant of permission, 31st March 2026) the scheme accords with the aims of the Strategy for Nature.

With regards to the proposed extension and alterations to the fenestration, at single storey level, given its distance from the boundary and the boundary screening present, the proposal would not harm the amenities of neighbouring residential properties. The scheme is well designed in-keeping with the host dwelling and the character and appearance of the surrounding area. Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

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.

For the above reasons the application is acceptable in relation to the relevant policies and other material planning considerations.

Date: 23/09/2025

