

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 1.5 storey outbuilding to east boundary, install hardstanding and erect gates and associated landscaping.

LOCATION: Connemara, Rue Des Crabbes, St. Saviour.

APPLICANT: Mr Ge Drossaert and Ms K Brehaut

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: 30/07/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/06/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: English Heritage Buildings: Ge Drossaert C, D
Biodiversity Statement (Phase 2 - dated February 2025)
Gate design illustration received 12 June 2025

Application Ref: FULL/2025/0992

Property Ref: E011570000

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. No development in those respects shall begin on site until further details of the proposed hardsurfacing and gates, including precise details of the extent and materials of the hardsurfacing and the height and position of the gates have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed feature(s). This condition is imposed to make sure that the resulting development is of satisfactory design and appearance and does not have any adverse impact on the character of the area.

5. For the avoidance of doubt, this decision permits the erection of a domestic outbuilding, to be used as an integral part of and incidental to the principal dwelling presently known as Connemara. The building shall not be used independently of that principal dwelling or for any other purpose at any time.

Reason - Permission is granted in relation to the proposed use of the building as ancillary accommodation in connection with an established domestic house. The use of the building for any other use would need to be assessed under different Planning Policies.

6. The roofing material shall be natural slate.

Reason - To secure the satisfactory appearance of the completed development.

7. The landscaping scheme shall be fully completed, in accordance with the details in the submitted Biodiversity Statement (Phase 2 - dated February 2025), by the end of the first planting season following the commencement of any part of the hereby approved development. 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 - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings and to ensure the biodiversity improvements are achieved.

Expiry Date: This permission will cease to have effect on 29/07/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

There is potential for contamination on this land due to its former use as a growing site and the historic presence of glasshouses. Should the applicant intend to grow consumables on this land, we recommend that they consider the potential for contamination and the associated risks.

If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

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/2025/0992
Property Ref: E011570000
Valid date: 12/06/2025
Location: Connemara Rue Des Crabbes St. Saviour Guernsey
Proposal: Erect 1.5 storey outbuilding to east boundary, install hardstanding and erect gates and associated landscaping.
Applicant: Mr Ge Drossaert and Ms K Brehaut

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. No development in those respects shall begin on site until further details of the proposed hardsurfacing and gates, including precise details of the extent and materials of the hardsurfacing and the height and position of the gates have been submitted to and agreed in writing by the Authority. The development shall be carried

out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed feature(s). This condition is imposed to make sure that the resulting development is of satisfactory design and appearance and does not have any adverse impact on the character of the area.

5. For the avoidance of doubt, this decision permits the erection of a domestic outbuilding, to be used as an integral part of and incidental to the principal dwelling presently known as Connemara. The building shall not be used independently of that principal dwelling or for any other purpose at any time.

Reason - Permission is granted in relation to the proposed use of the building as ancillary accommodation in connection with an established domestic house. The use of the building for any other use would need to be assessed under different Planning Policies.

6. The roofing material shall be natural slate.

Reason - To secure the satisfactory appearance of the completed development.

7. The landscaping scheme shall be fully completed, in accordance with the details in the submitted Biodiversity Statement (Phase 2 - dated February 2025), by the end of the first planting season following the commencement of any part of the hereby approved development. 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 - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings and to ensure the biodiversity improvements are achieved.

INFORMATIVES

There is potential for contamination on this land due to its former use as a growing site and the historic presence of glasshouses. Should the applicant intend to grow consumables on this land, we recommend that they consider the potential for contamination and the associated risks.

If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

OFFICER'S REPORT

Site Description:

The former glasshouse site is located at the junction of Longue Rue and Rue des Crabbes in St Saviours. The site is rectangular and enclosed by roads on three sides, with the detached dwelling Connemara and rear garden enclosing the northern boundary of the agricultural land. There are two accesses, one in the south-eastern corner and another towards the northeastern corner of the site.

The site is located Outside of the Centres, as designated in the Island Development Plan (IDP). It is also immediately adjacent to the Agriculture Priority Area (APA).

Relevant History:

FULL/2020/1004 - Erect storage unit, block up 2no accesses and create new access and parking. Application Refused

FULL/2023/0198 - Change of use of agricultural land to domestic garden (2,201 sqm). Granted 04/05/2023

Existing Use(s):

Domestic curtilage

Brief Description of Development:

Erect 1.5 storey outbuilding to east boundary, install hardstanding and erect gates and associated landscaping.

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

GP1: Landscape Character and Open Land

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Representations:

One letter of representation received, objecting to the application, the main points summarised as follows:

Deep concern about the continuing conversion of agricultural land to domestic use, especially in areas adjacent to designated Conservation Areas.

The application raises a number of important concerns –

- Loss of agricultural land which undermines the long-term sustainability of Guernsey's agricultural sector;
- Habitat degradation and biodiversity loss due to intensified land use, hard landscaping and built development;
- Cumulative visual impact that erodes the rural character of the area;
- Infill of a greenfield site located on narrow rural roads.

Concerns expressed by La Societe Guernesiaise relating to change of use of land to domestic curtilage are shared and are not hypothetical given examples in the vicinity of the site which highlight the incremental nature of such developments and the difficulty of reversing their impact.

The site serves as an important green buffer in an increasingly built-up landscape. Despite proposed native landscaping it would substantially alter the visual character and ecological integrity of the site.

In conclusion, the concerns are that the proposed development –

- Is out of character with the rural setting;
- Will result in a measurable loss of biodiversity;
- Sets a precedent for further incremental and piecemeal development;
- Undermines broader policy aims to safeguard Guernsey's rural and agricultural environment.

It is requested that the application be refused.

Consultations:

Office of Environmental Health & Pollution Regulation – has commented regarding potential land contamination connected with the previous use of the site for horticulture and recommends imposition of a planning condition dealing with this issue.

Summary of Issues:

Effect of the development on the character and amenity of the locality;
Effect on neighbour amenity;
Effect on biodiversity.

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).**

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.

Planning permission was granted in May 2023 for Change of use of agricultural land to domestic garden (2,201 sqm). This permission was subject to a condition requiring the submitted landscaping scheme to be completed in accordance with the then submitted Biodiversity Statement (dated March 2023).

There is evidence on site of the planting having been carried out. The boundaries of the site are planted and a copse of woodland trees has been planted roughly in the centre of the site. The currently proposed development would take place on an area of the site previously designated for meadow planting. A revised Biodiversity Statement (Phase 2 - dated February 2025) has been submitted in support of the current application.

Overall, the current proposals demonstrate a reasonable approach to biodiversity provision at the site having regard to the previously approved change of use, and subject to implementation of the proposals in accordance with the current Biodiversity Statement.

The principal development proposed is a 1.5 storey timber-framed and timber and slate clad domestic garage/outbuilding, positioned in line with the front building line of Connemara and parallel to the east boundary of the site. The building would be 14.7m long, 6m in depth and 6.58m high from the top of the floor slab to the ridge of the pitched roof.

The development would occupy a currently open area, however there are existing dwellings to the north, east and south and in this context the proposed building, positioned towards but set back from the east boundary and road, would not look out of place or have a significant adverse effect on the overall character or visual amenity of the locality. The east boundary bank is planted and as this becomes further established it will further soften the appearance of the development from the road.

The proposed development is of a good standard of design in accordance with Policy GP8 and will comply with the proportionate sustainability principles required by Policy GP9. The site is not within or immediately adjacent to a Conservation Area.

The proposed building would not have any adverse effect on neighbouring residents by virtue of overlooking, overshadowing or overbearing impact.

The access is existing and there are no traffic or highways related concerns.

The associated ancillary surfacing and timber gates are acceptable in principle however further details can be sought by condition for approval before these elements are implemented. The gates should be set back from the road sufficient

distance to enable a vehicle to park clear of the highway whilst they are opened and to ensure they are not intrusive features in the street scene.

Regarding potential for land contamination, the previous consent for change of use of the land to domestic garden has already been implemented. It would be unreasonable to impose a condition requiring site investigations in respect of the current application for built development, however an informative can be added in relation to this issue.

Overall, the proposed development would not be out of scale or character with the surroundings and the proposed revised biodiversity measures are reasonable and proportionate. The proposal would of itself not set a precedent for further development as each application is considered on its own merits. The proposal complies with the relevant policies of the Island Development Plan and approval is recommended subject to conditions.

Date: 29/07/2025