

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 site from agricultural, to use by Turf & Landscaping business (part retrospective). Demolish glasshouses, alter remaining sections of glasshouses to north and east, alter ground levels and erect retaining wall to east of site.

LOCATION: Ramee Roses, Route De La Ramee, St. Peter Port.

APPLICANT: Nick Russell Turf & Landscaping

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: 20/02/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/07/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Paul Vaudin & Associates Ltd: Letters dated 28/05/2025 & 01/12/2025, Drawing Nos 24-008-01A, 04, 05A, 06, 07, 08, 09

Application Ref: FULL/2025/1016

Property Ref: A209340000

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. (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) of this condition that any remediation scheme required and approved under the provisions of subsection (i) 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.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety, in accordance with Island Development Plan policy GP17.

5. Within 2 months of the date of this decision a phasing timetable for removal of all existing buildings, glasshouses and structures shown to be demolished on the approved plans shall be submitted to and agreed in writing by the Authority. Those structures shall then be removed in accordance with the approved timetable, and within 12 months of the date of this decision.

Reason - To make sure the development takes the form hereby permitted, in accordance with Island Development Plan policy OC7.

6. Within 2 months of the date of this decision, a method statement detailing the proposals for demolition, removal and disposal of all existing buildings, glasshouses, structures shown to be removed on the approved plans, including contractors' hours of operation, shall be submitted to and approved in writing by the Authority. The demolition works shall be undertaken in accordance with the approved method statement.

Reason - To ensure that the existing structures are removed in an appropriate manner and would result in good quality open land; To protect the amenity of nearby residential properties, in accordance with Island Development Plan policies OC7, GP1, GP8 and GP9.

7. No works shall commence on each of the below elements until the details specified below have been submitted to and agreed in writing by the Authority in respect of that element and the works shall thereafter be undertaken in accordance with the agreed details:

- i) the method to be used in the regrading of the land;
- ii) the method to be used for infilling the existing water storage; and
- iii) full details of tree and hedge planting, including planting schedules, noting the species, sizes, numbers and densities of plants.

Reason - To make sure that the works are undertaken in an appropriate manner and in order to help assimilate the development into its surroundings, in accordance with Island Development Plan policies OC3, OC7 and GP8.

8. The planting specified under the above condition shall be undertaken prior to the first use of the eastern part of the site for the purposes authorised under this permission, or in accordance with a programme previously agreed in writing by the Authority. 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, in accordance with Island Development Plan policies OC3, OC7 and GP8.

9. 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.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety, in accordance with Island Development Plan policy GP17.

10. The premises shall be used only by the applicant business and in accordance with the details set out in the application letters dated 28/05/2025 and 01/12/2025 and for no other purpose, including any other purpose in Storage and Distribution Use Class 22 or Industrial Use Classes 24 or 25 and excepting those set out within Agricultural Use Class 28 of the Land Planning and Development (Use Classes) Ordinance, 2017, or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above, in accordance with Island Development Plan policies OC3, OC7, GP8, GP9 and IP9. Any other use is likely to raise different planning policy considerations.

11. The site shall only be used as shown on the approved drawings PVA 24-008-05A & 08 and there shall be no storage or industrial activity whatsoever on the areas designated for cultivation or on the land outside of the retained glasshouse to the west of the site.

Reason - To ensure that the use of the site is limited to that approved and to ensure the retention of the open land to the east of the site, in accordance with Island Development Plan policies OC7, GP1, GP8 and GP9.

12. Any storage undertaken on the external trailer park or the external top soil store as shown on Drawing No 24-008-05A shall not exceed the height of the retained glasshouse to the west of the site.

Reason - To limit the visual impact of any such storage, in accordance with Island Development Plan policies GP1 and GP8.

13. Within six months of the date when use of the site for the purposes authorised under this permission ceases, or such other period previously agreed in writing by the Authority, the retained section of glasshouses to the east of the site (that to be used as a covered trailer park and the former plant room), any hardsurfacing laid as part of the approved works and the existing concrete roadway on that part of the site shall be removed from the site and, where the glasshouse to the west of the site is not required for any horticultural or agricultural activity, that glasshouse and all associated structures and hardsurfacing should also be removed from the site. The land shall be re-instated so that it is capable of agricultural use within one year of the cessation of such use, or such other period as may be agreed beforehand in writing by the Authority.

Reason - Permission for the retention of the glasshouses, associated structures and surfacing has been granted only on the basis that they are required in association with the proposed use, in accordance with Island Development Plan policy OC7. There is no justification to retain these elements if the proposed use is no longer operating, and there is no ongoing horticultural or agricultural requirement.

Expiry Date: This permission will cease to have effect on 19/02/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

With reference to condition 4 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>.

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/2025/1016
Property Ref: A209340000
Valid date: 10/07/2025
Location: Ramee Roses Route De La Ramee St. Peter Port Guernsey
GY1 2TP
Proposal: Change of use of site from agricultural, to use by Turf &
Landscaping business (part retrospective). Demolish
glasshouses, alter remaining sections of glasshouses to north
and east, alter ground levels and erect retaining wall to east of
site.
Applicant: Nick Russell Turf & Landscaping

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. (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.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety, in accordance with Island Development Plan policy GP17.

5. Within 2 months of the date of this decision a phasing timetable for removal of all existing buildings, glasshouses and structures shown to be demolished on the approved plans shall be submitted to and agreed in writing by the Authority. Those structures shall then be removed in accordance with the approved timetable, and within 12 months of the date of this decision.

Reason - To make sure the development takes the form hereby permitted, in accordance with Island Development Plan policy OC7.

6. Within 2 months of the date of this decision, a method statement detailing the proposals for demolition, removal and disposal of all existing buildings, glasshouses, structures shown to be removed on the approved plans, including contractors' hours of operation, shall be submitted to and approved in writing by the Authority. The demolition works shall be undertaken in accordance with the approved method statement.

Reason - To ensure that the existing structures are removed in an appropriate manner and would result in good quality open land; To protect the amenity of nearby residential properties, in accordance with Island Development Plan policies OC7, GP1, GP8 and GP9.

7. No works shall commence on each of the below elements until the details specified below have been submitted to and agreed in writing by the Authority in respect of that element and the works shall thereafter be undertaken in accordance with the agreed details:

- i) the method to be used in the regrading of the land;
- ii) the method to be used for infilling the existing water storage; and
- iii) full details of tree and hedge planting, including planting schedules, noting the species, sizes, numbers and densities of plants.

Reason - To make sure that the works are undertaken in an appropriate manner and in order to help assimilate the development into its surroundings, in accordance with Island Development Plan policies OC3, OC7 and GP8.

8. The planting specified under the above condition shall be undertaken prior to the first use of the eastern part of the site for the purposes authorised under this permission, or in accordance with a programme previously agreed in writing by the Authority. 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, in accordance with Island Development Plan policies OC3, OC7 and GP8.

9. 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.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety, in accordance with Island Development Plan policy GP17.

10. The premises shall be used only by the applicant business and in accordance with the details set out in the application letters dated 28/05/2025 and 01/12/2025 and for no other purpose, including any other purpose in Storage and Distribution Use Class 22 or Industrial Use Classes 24 or 25 and excepting those set out within Agricultural Use Class 28 of the Land Planning and Development (Use Classes) Ordinance, 2017, or in any provision equivalent to that Use Class in any Ordinance revoking or re-enacting that Ordinance.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above, in accordance with Island Development Plan policies OC3, OC7, GP8, GP9 and IP9. Any other use is likely to raise different planning policy considerations.

11. The site shall only be used as shown on the approved drawings PVA 24-008-05A & 08 and there shall be no storage or industrial activity whatsoever on the areas designated for cultivation or on the land outside of the retained glasshouse to the west of the site.

Reason - To ensure that the use of the site is limited to that approved and to ensure the retention of the open land to the east of the site, in accordance with Island Development Plan policies OC7, GP1, GP8 and GP9.

12. Any storage undertaken on the external trailer park or the external top soil store as shown on Drawing No 24-008-05A shall not exceed the height of the retained glasshouse to the west of the site.

Reason - To limit the visual impact of any such storage, in accordance with Island Development Plan policies GP1 and GP8.

13. Within six months of the date when use of the site for the purposes authorised under this permission ceases, or such other period previously agreed in writing by the Authority, the retained section of glasshouses to the east of the site (that to be used as a covered trailer park and the former plant room), any hardsurfacing laid as part of the approved works and the existing concrete roadway on that part of the site shall be removed from the site and, where the glasshouse to

the west of the site is not required for any horticultural or agricultural activity, that glasshouse and all associated structures and hardsurfacing should also be removed from the site. The land shall be re-instated so that it is capable of agricultural use within one year of the cessation of such use, or such other period as may be agreed beforehand in writing by the Authority.

Reason - Permission for the retention of the glasshouses, associated structures and surfacing has been granted only on the basis that they are required in association with the proposed use, in accordance with Island Development Plan policy OC7. There is no justification to retain these elements if the proposed use is no longer operating, and there is no ongoing horticultural or agricultural requirement.

INFORMATIVES

With reference to condition 4 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>.

OFFICER'S REPORT

Site Description:

The application site comprises part of the former Ramee Roses vinery, located centrally within agricultural land between the Route de la Ramee to the east and Rue du Pont Vaillant to the west.

The vinery is accessed over a track from Route de la Ramee to the north-east, which passes between a residential property and agricultural land at the junction with the road and through the surrounding agricultural land to access the vinery. The application site comprises the southernmost two areas of glass in the vinery, located to either side of the access track.

The site ownership includes an agricultural field to the north-west of the site, located to the east of and accessed from Rue du Pont Vaillant.

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

Relevant History:

FULL/2015/2246 Clad section of glasshouse. Refused 02/12/15, on the basis that the proposed storage exceeded what could reasonably be considered as storage ancillary and incidental to the horticultural/agricultural operations at the site and would therefore be considered as the creation of a new industrial use, which was contrary to the relevant planning policies at that time (Rural Area Plan).

FULL/2016/0434 Clad south-east section of glasshouse roof and install roller door (east elevation). Approved 21/04/16, conditioned as follows:

The development hereby permitted shall only be used in conjunction with and ancillary to the vinery at this site for purposes incidental to the agricultural/horticultural operation thereof and shall not be used separately or for any other purpose at any time.

FULL/2017/2623 Clad north-west section of glasshouse (store room) and install new roller door and personnel door (north elevation). (Retrospective). Approved 10/01/2018, conditioned as above.

FULL/2021/1428 Erect a covered handling area to east elevation of glasshouse. Approved 27/08/2021 , conditioned as follows:

For the avoidance of doubt, the external covered handling area hereby approved shall only be used in conjunction with and ancillary to the agricultural/horticultural use of the site. It shall not be used at any time for the storage of any other paraphernalia, not in association with the agricultural/horticultural operation of the site, including the storage of artificial turf.

FULL/2021/2250 Erect security fencing and gates. Approved 09/11/2021

FULL/2022/1117 Variations to plans previously approved to erect a covered handling area to east elevation of glasshouse - install cladding and roller shutter doors to east elevation. Approved 06/07/2022

PREA/2024/1457 Pre-application enquiry regarding potential expansion of operations at the site.

Existing Use(s):

Horticultural site – Agricultural Use Class 28

Brief Description of Development:

Permission is sought under this application for the change of use of the application site from horticulture/agriculture to use by a Turf and Landscaping business, partially in retrospect.

The application seeks to retain the glasshouses to the west of the site, to continue the current use of those glasshouses as follows:

- Clad internal machinery and general stores;
- Other storage, including hand machinery, tyre storage, large machinery (diggers, dumper trucks, etc), trenching machinery, tanks and pumps, etc;
- 6x tractor implements store;
- Fertiliser and lime pallet stores;
- Covered handling area;
- Topsoil storage and preparation area;
- Temporary staff parking area;
- Cultivation of turf, planting, fruit and vegetable growing;
- External handling area.

It is noted that the precise areas of use will vary depending on the season, weather, product availability and demand. No alterations are proposed to these retained glasshouses.

To the east of the site the application seeks to undertake the following:

- Demolish the majority of the glasshouses, constructing 975mm retaining sleepers to neighbouring glasshouse;
- Retain c500m² section of the glasshouses in the north-west corner as a covered trailer park, installing profile sheet cladding to roof, retaining the glazed north and west sides and keeping the south and east sides open;
- Retain c145m² of the glasshouses to the east of the area (currently used as a plant room) primarily of use as an overspill area for grass seed and fertiliser storage, but also used as additional dry and secure storage when required. The retained glasshouses will be stripped of glass and clad in profile sheeting with new doors.
- Raise the ground levels of the western half of the area, with supporting 935mm sleeper wall to eastern and southern edges and 250mm hardcore and recycled road planings to surface, to form external trailer park and external top soil store;
- The eastern half of the area is to be used for grass cultivation;
- Plant a line of trees along the eastern edge of the glasshouse footprint.

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

OC3	Offices, Industry and Storage & Distribution Outside of the Centres
OC7	Redundant Glasshouse Sites Outside of the Centres
GP1	Landscape character and open land
GP8	Design
GP9	Sustainable Development
GP17	Public Safety and Hazardous Development
IP6	Transport Infrastructure and Support Facilities
IP7	Private and communal car parking
IP9	Highway safety, accessibility and capacity

Strategy for Nature Supplementary Planning Guidance

Representations:

None received.

Consultations:

The Office for Environmental Health and Pollution Regulation comment as follows:

I have reviewed the proposed plans for Ramee Roses which were received by email on 27th July 2025 and there are a number of issues of concern that I must raise.

The site has previously been used for heated greenhouses, which raises the potential for land contamination, particularly from hydrocarbons. In addition, the site's agricultural history suggests likely contamination from pesticides and possibly from metals, especially but not limited to lead.

Although the applicant states in the cover letter that it would not be appropriate to return the land to agricultural use, their proposal involves dividing the site into four quarters. These would accommodate a topsoil store, an agricultural trailer store, a tractor and implement store, and areas for increased grass cultivation or replacement topsoil. This may introduce new pathways for contamination to reach receptors during both the development phase and future site operations.

Given these risks, I strongly 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 existing and proposed use of the site;

The principle of change of use: whether there is a justifiable need for location

Outside of the Centres and the scale of the business;

Whether the site comprises a redundant glasshouse site;

The potential contribution of the site to open land and to the Agriculture Priority Area;

Impact of the development on open land and the character and appearance of the area;

The impact of the development on the amenity of people living in the area;

Traffic and access.

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 existing and proposed use of the site

The applicant company currently utilises the block of glasshouses to the west of the site, and several approvals have been granted for alterations to those glasshouses, on the condition that the primary use of the site remains horticultural/agricultural, and that any other use at the site remains ancillary to that primary use (see Relevant History above).

The supporting information submitted as part of this application explains that the provision of rolled cut turf is the primary focus of the business, and that that turf is primarily grown on land owned or leased by the company, outside of the site boundaries. It is stated that the existing glasshouses are still used to grow turf, however this use is variable, and is only when weather and demand dictate. The submitted information states that there was no growing within the glasshouse in 2024, and implies no growing within 2025. The use of the site has however been ongoing, for the storage of machinery, etc and the storage and processing of topsoil, fertilizer, etc to support the off site activities of the business and also for sale independent of the landscaping activities of the business. Given the length of time for which there has been no on site growing, the existing use of the site cannot be ancillary to an agricultural/horticultural use of the site and has to be regarded as a standalone use in its own right. That use would comprise a mixed use of storage and industrial elements, with occasional and infrequent use for growing.

Whilst the proposed expansion of the business activities on to the land to the east of the site would increase the frequency of growing at the site, it would also increase the areas of storage and industrial uses. Those uses would be partially to support the increased growing at the site, but would also be required to support the wider business activities, including the recent expansion to sub-contract for the landscaping element of a local quarrying business and the sale of topsoil.

Taking into account the operation of the business as described in the submitted information, whilst it is acknowledged that growing activity is proposed to continue on site, the areas and frequency of this use would no longer comprise the primary activity at the site and the use would comprise a mix of storage, industry (for the processing of material to form topsoil) and growing and would comprise a change of use requiring planning permission.

The principle of change of use: Policy OC3

Policy OC3 (Offices, industry and storage & distribution Outside of the Centres) would form the gateway policy for the proposed uses and is divided into two parts, the first relating to the principle of the use and the second to the details of the proposal.

The first part of Policy OC3 allows for new industry and storage & distribution uses, where;

- a) The site is located at the Key Industrial Expansion Area at La Villiaze; or
- b) There is a justifiable need for the business to be located outside the Main Centres, Main Centre Outer Areas and Local Centres owing to the special nature or requirements of the business operation or there being a demonstrated lack of suitable alternative sites within those Centres; and
- c) where the site is either a brownfield or a redundant glasshouse site and complies with Policy OC7 (Redundant Glasshouse Sites Outside of the Centres); or
- d) The proposal is achieved through conversion of redundant buildings in accordance with Policy GP16(A) (Conversion of Redundant Buildings).

The application site is not located at La Villiaze and part a) cannot therefore apply.

In terms of part b), the prefacing text to Policy OC3 identifies that certain small scale businesses, such as those requiring workshops, secure storage and open yards, may have a justifiable need to develop outside of the Main and Local Centres.

In the case of the application business, the submitted information states that to successfully operate the business requires space for growing and storage, proximity to cultivation areas and the ability to operate in a flexible location. The ability to cultivate grass within a glasshouse, when demand dictates, is stated to be critical to the business, providing an agricultural element to the business. In addition, it is noted that the business is an Island-wide operation which utilises large agricultural vehicles which would not be appropriate within the Main Centres or on the associated road networks.

On balance, in light of the above, it is considered that there is a justifiable need for the specified business to be located Outside of the Centres and the proposal does not need to demonstrate a lack of suitable alternative sites within the Centres. Given that permission can only be granted due to the specific and particular need which has been demonstrated for this business, and there may not be policy justification to consider other forms of business falling within the storage or industrial use classes, it would be reasonable to limit the use of the site to the applicant company only, and for the land to revert to agriculture once use of the site by that company ceases.

In terms of the scale of the business, whilst the application site covers an area of 4.8 acres, Policy OC3 does not provide a defined threshold for small scale business but allows flexibility, depending on the extent of impact arising from the associated

operations. Such impact is to be assessed having regard to a number of specific criteria set out within the second part of the policy and summarised within the pre-facing text, which states that such uses can be considered; *“where they are of a scale and form that respects the character of the surroundings and do not introduce unnecessary development which is otherwise capable of being located within the Centres and where the proposals would have no adverse effect on the conditions of neighbouring occupiers and would not adversely affect highway safety”*. These points, and therefore overall compliance with Policy OC3b), will be assessed further below.

In respect of criteria c) & d), the application relates to a horticultural site. Under Planning Law, horticultural premises are treated as agricultural land and, on clearance of the glasshouses, the land is expected to revert to agricultural use. The site would not therefore be classified as a brownfield site for the purposes of criterion c) and the proposal would not comprise the conversion of a building for the purposes of d). The application can therefore only be considered where the site meets the definition for a redundant glasshouse site and complies with the requirements of Policy OC7 (Redundant Glasshouse Sites).

Whether the site comprises a Redundant Glasshouse Site: Policy OC7

Paragraph 17.5.3 of the IDP defines a redundant glasshouse as: *“a glasshouse or glasshouses together with ancillary structures and land where the glass and ancillary structures are no longer required or capable of being used for their authorised purpose.”*

This definition is expanded upon in Supplementary Planning Guidance (SPG) published in December 2018. The SPG states that, to be classified as a Redundant Glasshouse Site, the site must retain visible substantial superstructures. In respect of the application site, approximately 15,000m² of glass remains on site, separated into two blocks. The western block remains in good, serviceable condition and is used by the applicant business as described above, and the eastern block, whilst remaining substantially intact, is not in good condition and is no longer in use for any purpose.

In terms of redundancy, the SPG recognises the decline of the horticultural industry in the Island and notes that policy aims to provide for the managed exit from this sector in terms of land use. The SPG therefore states that a site can be considered redundant if it is demonstrated that that site is no longer required for commercial horticultural purposes.

The remaining glasshouses at the vinery site, located to the north of the application site, fall within separate ownership, separated from the glasshouses which form the subject of this application by an internal gable, and with separate heating and lighting. The adjacent glasshouses are understood to be in ongoing use for small scale growing but do not comprise part of a commercial enterprise and, in light of the comments within the SPG, it would be unreasonable to require retention of the

glasshouses at the application site for ongoing horticultural use, either individually or in association with the adjacent glasshouses.

In light of the above, whilst it appears that the glasshouses to the west of the site are not necessarily at the end of their usable life, neither the site nor the adjacent glasshouses are in use for commercial horticulture and it is accepted that there is limited demand for commercial horticultural premises on the Island. The site could therefore be considered a Redundant Glasshouse Site and the proposal would fall to be considered under the provisions of Policy OC7.

Potential contribution of the site to the Agriculture Priority Area & open land: Policy OC7

As set out above, whilst there is a presumption that when the authorised use of a horticultural site ceases the site will be cleared and returned to agricultural use, where a proposal complies with Policy OC3 and would facilitate clearance of the glass, the first part of Policy OC7 can provide, inter alia, for proposals to develop such sites for small scale industrial or storage and distribution uses where the site would not contribute positively to a wider area of open land and where the site is not within or adjacent to an Agriculture Priority Area (APA) or, where it is in or adjacent to an APA, it is demonstrated that the land cannot positively contribute to the commercial agricultural use of the area or cannot practically be used for commercial agricultural use without adverse environmental impacts.

The site is located centrally within an Agriculture Priority Area, and to the south-west of an operational farm. There is however extensive hardsurfacing and infrastructure on the site, and the submitted material refers to potential contamination of the land, which would prejudice return to agricultural practices. This consideration is reiterated through the consult response from the Office for Environmental Health and Pollution Regulation, who note; *“The site has previously been used for heated greenhouses, which raises the potential for land contamination, particularly from hydrocarbons. In addition, the site's agricultural history suggests likely contamination from pesticides and possibly from metals, especially but not limited to lead”*.

Practically therefore, whilst there is no evidence in terms of the physical attributes of the site, e.g. the size, topography or drainage of the site, that would preclude use of the site for agriculture, the extent of works required to return the land to agricultural use would be likely to be prohibitively intrusive and expensive.

In terms of the potential contribution to a wider area of open land, the site is located centrally within an extensive area of open land and clearance of the site would align with the surrounding landscape. Practically however, the distance to the surrounding roads and intervening development and field boundaries limit views of the site from public places and therefore the extent of benefit which would be accrued from clearance.

From Route de la Ramee the eastern part of the site can be distantly glimpsed only for a short section of road from the north-east, between the agricultural building at La Ramee Farm and the Guernsey Gardens glasshouses. Clearance of the glasshouses to the east of the site as proposed would be of some value in terms of the openness of the area however, given the limited views of this section of the site, the benefits would be somewhat limited.

The western part of the site can be seen from a section of Rue du Pont Vaillant to the west, across the roadside fields, however is partially screened by a separate redundant vinery site to the south-west and trees along the west boundary of the site. Whilst clearance of the western part of the site would make a contribution to openness in these views, the extent of impact would not be so significant as to warrant refusal under this criterion.

Details of the proposal

Having ascertained that the principle of the proposal meets the terms of the first parts of Policies OC3 and OC7, both policies require that a proposal meet the following detailed criteria:

- the development is of a scale and form that respects the character of the surrounding area and would not adversely affect or detract from the amenities of existing surrounding uses especially with regard to noise, vibration, smell, fumes, smoke, soot, ash, dust or grit; and,
- the development will not jeopardise highway safety and the free flow of traffic on the adjoining highway; and,
- the site will be laid out to achieve the most effective and efficient use of the land and the least negative visual and amenity impacts with buildings, materials, parking, access, and open storage areas designed to respect the character of the area; and,
- the proposal includes details of an appropriate soft landscaping scheme, which will make a positive contribution to the visual quality of the environment and will sufficiently screen the activities on the site and mitigate impacts.

In addition, Policy OC7 requires that the proposal includes the demolition and removal from the site of all glasshouses and ancillary structures which are not capable of being used for a use in accordance with the relevant policies of the Island Development Plan and that the proposal accords with all relevant policies of the Island Development Plan.

Policies GP1 (Landscape character and open land), GP8 (Design) and GP9 (Sustainable development) would also be relevant. Policy GP1 requires consideration of whether the proposal would result in any unnecessary loss of open and undeveloped land which would have an unacceptable impact on the open landscape character of the area. Policy GP8 requires proposals for new development to achieve a high standard of design which respects and where appropriate enhances the character of the

environment. Proposals will be expected to “*respect the character of the local built environment or the open landscape concerned*”. Policy GP9 relates primarily to the use of sustainable construction techniques.

The impact of the development on open land and the character and appearance of the area

As previously identified, the site is only visible in long views from limited sections of the surrounding roads. Whilst there could potentially be some positive contribution to open land were the glasshouses cleared, the site does not currently comprise open land and the proposal would not result in the loss of such land. Conversely, in views from the east, the proposed removal of the nearest section of glasshouses and the undertaking of tree planting along the eastern edge of the glasshouse footprint would result in some positive impacts on the character of the area, and removal of those glasshouses, control over the use of the areas designated for cultivation, and details and implementation of the landscaping can be controlled by planning condition. Whilst glasshouse clearance would ordinarily be prior to the use of the site in question, as this application is partially retrospective it will be necessary to require the works to be undertaken within a specified timeframe. No alterations are proposed to the glasshouses to the west, and impacts in views from that direction would be unchanged.

Taken as a whole, the proposal would therefore result in some enhancement to the character of the area. The premise of Policy OC7 is however to seek clearance of glasshouses and ancillary structures, where there would otherwise be limited incentive to undertake such work, and development such as that proposed under this application is only permitted on a limited basis where it facilitates the clearance of glass. Whilst it is appreciated that the current proposal would result in the removal of nearly 50% of the glasshouse structures at the site, and that the retained glasshouses would be used for a purpose in accordance with Plan policy, the proposed approach does retain the more prominent of the glasshouses on site. As set out above, such retention is justified only for the very specific circumstances relating to the applicant company and, if use by the company ceases and the glasshouses cannot be used for a horticultural purpose, to fully achieve the aims of policy, it would be reasonable to require removal of the remaining glasshouses by planning condition.

The impact of the development on the amenity of people living in the area

Policies OC3, OC7 and GP9 all require the applicant to demonstrate that the development would not adversely affect or detract from the amenities of existing surrounding uses especially with regard to noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

Residential properties in this area are generally located along the roadside, and are separated from the application site by other glasshouses sites and open land. Given the distance to those properties, the proposed use and works at the application site

would not, in themselves, give rise to any adverse impacts on those properties. The covering letter submitted in support of the application notes that staff arrive at the site at approximately 8am and leave by 6pm. Given the nature of the business, reasonable nature of the indicated hours and relationship with neighbouring property, it is not considered necessary to specifically condition the hours of operation, although it would be reasonable in relation to other policy considerations to condition that the business operates in accordance with the letter of application and this would encompass the indicated operating hours.

There is a residential property, known as Tamarind, located within the former Ramee Roses site, however that property is located to the north of the glasshouses adjoining the application site and would not be adversely affected by the proposed use and works at the application site. It is noted that a right of way driveway is shown to be retained along the east side of the site, which would pass alongside the boundary with Tamarind, however use of that driveway would be limited to access for the retained plant room, to be used for general storage only, and the majority of vehicle movements associated with the business would use the main access road.

The main access road is that associated with the former Ramee Roses site, on to Route de la Ramee to the north-east, and that access passes immediately alongside a residential property. The submitted information states that the business currently employs 10 staff, and that 6 of those are generally employed off site. As above, staff are stated to arrive around 8am, and to leave between 4-6pm depending on the season. Work vehicles are stated to leave the site by 9am, however the size of vehicle and number of movements a day depends on the projects which the company has at any given time. Deliveries to the site vary, however are stated to be infrequent. The indicated vehicle movements are likely to be similar to or less than that of the former vinery use, taking into account the type of vehicle as well as volume of movements, and generally occur within reasonable day time hours. It is therefore considered that vehicle movements associated with the proposed use would not be sufficient to result in significant adverse impacts on neighbour amenity.

Overall, taking into account the distance to the surrounding residential properties and the nature of the proposed business, any impact on the amenities of the adjacent properties would not be significant.

Traffic and access

In terms of the access itself, this is located on the outside of a bend, where vehicles slow on approach, with good visibility in both directions.

In terms of the impact on the wider road network, whilst it is acknowledged that some of the vehicles associated with the proposed use are large, those vehicles are speed restricted by Law and, although the adjacent highway does have limitations in respect of width and pedestrian provision, it is recognised as a Traffic Priority Route and links to a network of such routes, which are designated for heavier traffic.

Overall, there would not be highway safety reasons to oppose the application.

Other issues raised by consultees

The Office for Environmental Health and Pollution Regulation identify potential for land contamination at the site, and for the proposed works/operations to introduce new pathways for contamination to spread. The condition recommended by that Service should therefore be attached to any decision issued.

Conclusions

The IDP, in accordance with the overarching Strategic Land Use Plan, sets out a planning policy framework that enables certain businesses, with an identified need, to develop Outside of the Centres on redundant vinery sites, where the proposal accords with Policies OC3 and OC7 and the relevant supporting policies.

In this case, the glasshouse site is considered to be redundant, and there are impediments which make it unlikely that the site would be cleared to contribute either to the commercial use of an Agriculture Priority Area or the surrounding open land, without enabling facilitating development.

The proposed development would enable clearance of a reasonable section of glass at the site, resulting in some benefits to the character of the area, with limited impacts on neighbour amenity or highway safety, whilst supporting a business with a justifiable need to be located Outside of the Centres.

On balance, the proposal is therefore considered to comply with Policies OC3 and OC7, as well as other relevant policies of the IDP.

It is consequently recommended that planning permission with conditions be granted as set out above.

Date: 20/02/2026

