

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: Retention of two pigeon lofts and outbuilding/store (retrospective).

LOCATION: Glenwood Vinery, Route Des Coutanchez, St. Peter Port.

APPLICANT: Mr Rene Archer

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

Date of Grant of Permission: 24/09/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 28/08/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block layout Plan, Photos and Specifications

Application Ref: FULL/2025/1284

Property Ref: A101150000

Conditions and reasons:-

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance

with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

3. The two pigeon lofts and associated store shall be used only for purposes incidental to the recreational enjoyment of the pigeons as a hobby or leisure interest and not in connection with any trade or business.

Reason - To protect the character and amenity of the locality and neighbour amenity and to control the use of the site in accordance with GP1: Landscape Character, GP8: Design and OC9: Leisure and Recreation Outside of the Centres.

4. Within six months of the date when use of the site and buildings for keeping pigeons ceases, or such other period previously agreed in writing by the Authority, the two pigeon lofts and associated store hereby permitted shall 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 two pigeon lofts and associated store has been granted only on the basis that they are required in connection with the hobby use outlined in the application. There is no justification to retain the three buildings if there is no longer any private pigeon keeping being undertaken on the land to accord with Policies GP1: Landscape Character, OC5(A): Agriculture within the Agriculture Priority Area and OC9: Leisure and Recreation Outside of the Centres of the Island Development Plan.

Expiry Date: This permission will cease to have effect on 23/09/2028 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/2025/1284
Property Ref: A101150000
Valid date: 28/08/2025
Location: Glenwood Vinery Route Des Coutanchez St. Peter Port
Guernsey
Proposal: Retention of two pigeon lofts and outbuilding/store
(retrospective).
Applicant: Mr Rene Archer

RECOMMENDATION - Grant: Planning Permission with Conditions:

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

3. The two pigeon lofts and associated store shall be used only for purposes incidental to the recreational enjoyment of the pigeons as a hobby or leisure interest and not in connection with any trade or business.

Reason - To protect the character and amenity of the locality and neighbour amenity and to control the use of the site in accordance with GP1: Landscape Character, GP8: Design and OC9: Leisure and Recreation Outside of the Centres.

4. Within six months of the date when use of the site and buildings for keeping pigeons ceases, or such other period previously agreed in writing by the Authority, the two pigeon lofts and associated store hereby permitted shall 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 two pigeon lofts and associated store has been granted only on the basis that they are required in connection with the hobby use outlined in the application. There is no justification to retain the three buildings if there is no longer any private pigeon keeping being undertaken on the land to accord with Policies GP1: Landscape Character, OC5(A): Agriculture within the Agriculture Priority Area and OC9: Leisure and Recreation Outside of the Centres of the Island Development Plan.

OFFICER'S REPORT

Site Description:

Glenwood Vinery is a former horticultural site which has fallen into disrepair and now consists of overgrown derelict glasshouses and agricultural land. The eastern most field also contains two pigeon lofts. The site is Outside of the Centres and within an Agriculture Priority Area as defined in the Island Development Plan.

Relevant History:

10/06/2022 FULL/2022/0610 Withdrawn application for the retention of pigeon loft for a further 5 years (retrospective)

23/05/2019 Permit for the erection of a pigeon loft (north-east boundary)

18/01/17 FULL/2016/2783 Permit for variation of conditions 3 and 4 on planning permit FULL/2013/3514 to retain two pigeon lofts for a further 5 years.

30/12/13 FULL/2013/3514 Permit for variation of conditions 3 and 4 on planning permit FULL/2010/4016 to retain two pigeon lofts.

09/02/11 FULL/2010/4016 Permit to erect two pigeon lofts (retrospective), conditional approval.

19/06/02 Permit to retain pigeon lofts, conditional approval.

27/11/01 Conditional permit to construct three pigeon lofts and a store.

Existing Use(s):

28 agriculture

Brief Description of Development:

Planning permission is requested to retain two pigeon lofts and associated store for a further period of five years. The pigeon lofts are constructed of timber/plywood and are maintained in good condition.

The accompanying letter requests a minor departure to allow for the retention of the structures for 5, or preferably 10 years.

It is noted from previous applications that these lofts would each house a maximum of 30 birds.

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

OC5(A) – Agriculture Outside of the Centres – within the Agriculture Priority Areas
OC9 – Leisure and Recreation Outside of the Centres
GP1 – Landscape Character and Open Land
GP8 – Design

Representations:

None.

Consultations:

None.

Summary of Issues:

The main issues in deciding this application are:

1. the use of the land for recreational purposes and in the Agriculture Priority Area,
2. the impact of the development on the open landscape character and visual amenity of the area, and
3. the impact of the development on the amenity of people living in the area, taking into account the policies set out above.

Assessment against:**1 - Purposes of the law.**

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Temporary permission was initially granted in 2001 for the erection of three pigeon lofts at this site for the personal use of the applicant at that time, for a period of three years. The land was then sold and in 2002 permission was granted to revise that permission to enable use of the lofts by the new owner. Permission was then granted on a temporary basis in 2011, 2013 and 2017 for the retention of two pigeon lofts at the site, with the most recent consent extending until 2022. Under these previous decisions it was considered that the limited form and the nature of the development was capable of being accommodated without having an adverse effect on either character or the amenity of neighbouring residents. The granting of a temporary permission was considered to provide a safeguard to enable review of the use of the site in the event of any change in circumstances.

The site is located on agricultural land defined as APA, Outside of the Centres in the Island Development Plan and the erection of a pigeon loft would principally be considered under Policies OC5(A) and OC9. The proposed use of keeping pigeons is not specifically referred to in the prefacing text to Policy OC9, however would be akin to an informal leisure and recreation use. In respect of such uses, Policy OC9 states that:

“Development to provide new facilities for outdoor formal recreation or informal leisure and recreation, or to extend, alter or redevelop existing facilities, will be supported providing that:

- i. any ancillary built development is proportionate to the nature and scale of the formal outdoor recreation or informal leisure and recreation use; and,*
- ii. the visual impacts of ancillary built development can be mitigated to respect the character of the locality; and,*
- iii. the site does not fall within an Agriculture Priority Area, or where it does fall within an Agriculture Priority Area the land cannot positively contribute to commercial agricultural use or cannot practically be used as such without adverse environmental impacts”.*

In this case, Policies GP1 and GP8 would also be relevant, in respect of impact on open land, the character of the area and neighbour amenity.

The pigeon lofts are modest, proportionate to the nature and scale of the use, and would be located over 100 metres from the public highway. The lofts and store are separated from the highway by the overgrown and derelict glass and the structure would not therefore be visible from a public place. The lofts would also be located approximately 90m from the nearest residential property and would be subject to Environment Health regulation. The proposal would therefore be unlikely to have any adverse effects on neighbouring amenity.

The site is located within an Agriculture Priority Area and forms part of a large area of open land. There is nothing to suggest that the land could not contribute to commercial agriculture use in the future, or, once the remains of the glass on the site

and the adjacent sites is cleared, to the openness of the area. It is considered that a minor departure from the Island Development Plan under Section 12 of The Land Planning and Development (General Provisions) Ordinance, 2007, is justified in this instance. A written request to consider the application as a minor departure has been submitted by the applicant.

The pigeon lofts occupy a small area and are presently screened in views of the wider area. The proposed structures are lightweight and easily removable and would not preclude the future use of the land for agricultural purposes. The proposal is a relatively minor form of development and, such development has existed on the site for more than 20 years without impacting on the APA. The proposal would not result in the permanent loss of agricultural land and would not have a significant impact on openness. It is reasonable to require that all three structures are removed from the site when they are no longer used for their approved purpose as pigeon lofts and associated store.

In view of the above it is recommended permission is granted. It is not considered reasonable or necessary to consider this as a further temporary permission given that the structures are modest in size and could be readily removed if the land were to be returned to agricultural use in the future.

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 22/09/2025

