

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 polytunnel on agricultural land to north boundary.

LOCATION: Land at, Rue De La Petite Hurette, Castel.

APPLICANT: Mrs E Hatton and Mrs L McCarthy

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: 27/01/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 24/10/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Collas Crill: Block Layout Plan,
Email dated 16 Oct 2025 including First Tunnels Polytunnel
specification sheets (date stamped 24 Oct 2025)

Application Ref: FULL/2025/1685

Property Ref: D001110000

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.The polytunnel hereby approved shall be used only for purposes ancillary and incidental to the agricultural use of the land on which it is situated, falling 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 - To define the permission for the avoidance of doubt.

5.Within six months of the date when use of the polytunnel for the purposes authorised under this permission cease, or such other period previously agreed in writing by the Authority, the polytunnel hereby permitted and any associated structures 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 polytunnel has been granted only on the basis that it is required in association with the agricultural/horticultural use of the land. There is no justification to retain the polytunnel if there is no longer any agricultural/horticultural use of the land.

Expiry Date: This permission will cease to have effect on 26/01/2029 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/2025/1685
Property Ref: D001110000
Valid date: 24/10/2025
Location: Land at Rue De La Petite Hurette Castel Guernsey
Proposal: Erect polytunnel on agricultural land to north boundary.

Applicant: Mrs E Hatton and Mrs L McCarthy

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. The polytunnel hereby approved shall be used only for purposes ancillary and incidental to the agricultural use of the land on which it is situated, falling 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 - To define the permission for the avoidance of doubt.

5. Within six months of the date when use of the polytunnel for the purposes authorised under this permission cease, or such other period previously agreed in writing by the Authority, the polytunnel hereby permitted and any associated structures 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 polytunnel has been granted only on the basis that it is required in association with the agricultural/horticultural use of the land. There is no justification to retain the polytunnel if there is no longer any agricultural/horticultural use of the land.

OFFICER'S REPORT

Site Description:

The application site comprises a 3.66 acre (14814sqm) parcel of agricultural land, surrounded by agricultural land in all directions. The land slopes from south to north across the site, and levels drop steeply to the adjacent land to the north and rise towards the south, with strong planted boundaries in both directions, and to the east of the site. The land parcel comprises a larger field to the west, separated from a narrower and slightly lower strip to the east by an earthbank, topped by juvenile hedge planting.

La Rue de la Petite Hurette runs along the west boundary of the site, providing access to the site, and continues along the south boundary of the field to the south of the site, separated from both land parcels by an earthbank and intermittent planting.

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

Relevant History:

Application site

Pre-application advice regarding erection of polytunnel and stables.

FULL/2025/1428 Erect stables to south boundary to agricultural land. Refused 23/01/2026

Field to west of La Petite Hurette (D001300000)

FULL/2023/0923 Erect stable block, earth bank, fence and gate, hardstanding to east of the site and erect fence to south-west boundary. Refused 22/09/2023 – Impacts on open landscape character and Agriculture Priority Area.

FULL/2024/0411 Erect stable block and storage building to north boundary. (Revised scheme). Approved 23/04/2025 – Stables repositioned to minimise impacts on landscape character and agricultural use of land.

Field to south of La Petite Hurette (D001290000)

FULL/2025/0953 Erect agricultural shed to north boundary and alterations to ground levels to east of site (retrospective). Approved 24/10/2025

Existing Use(s):

Agricultural Use Class 28

Brief Description of Development:

Permission is sought to erect a 5.49m x 18.29m x 2.59 (high) polytunnel adjacent to the north boundary of the eastern part of the site. The polytunnel is a commercial construction with anchor plates into soil, as opposed to any form of concrete foundation, and Super Therm Polythene cover, as it is a lot stronger and would resist the winds.

In support of the application the following points are made:

- The land was bought in 2025 for grazing of horses and small scale hobby farming;
- The polytunnel is to be used on a non-commercial basis for the growing of fruit and vegetables within separate beds and a small area for potting and growing seedlings. Some limited crop growing would occur outside of the polytunnel, including outside vegetables, soft fruits and fruit trees. The applicant has grown these products for 15 years within rented glasshouses, however those glasshouses became usable through rot and storm damage;
- When visiting the site the applicants park just inside the existing access point, there is no intention to form a track to access the polytunnel;
- Policy OC5(A) would apply, Policy OC9 would not as this is not an allotment site;
- The Exemptions Ordinance was expanded in 2023, according to the accompanying policy letter, to facilitate use of land by individuals for independent growing;

- Although growing has not started at the site this is not a barrier to permission being granted, as Policy OC5(A) allows for development which is not related to a farmstead or existing agricultural holding;
- The polytunnel is a lightweight, temporary structure and would be incidental to the agricultural use of the land;
- A condition requiring removal when no longer required would be acceptable;
- A minor departure is requested if felt necessary, specifically referring to the fact that growing has not yet commenced at the site.

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

Island Development Plan Policies:

OC5(A): Agriculture Outside of the Centres – within the Agriculture Priority Areas

GP1: Landscape Character and Open Land

GP8: Design

GP9: Sustainable Development

IP9: Highway Safety, Accessibility and Capacity

Representations:

None received.

Consultations:

None undertaken.

Summary of Issues:

Whether the proposal is ancillary to the agricultural use of the land;

Whether the proposal would give rise to any visual impacts or otherwise impact on the open rural character of the area.

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 proposed development would be ancillary and incidental to the agricultural use of the land, in accordance with Policy OC5 (Agriculture Outside of the Centres), and a condition can be attached to the decision to define the use for the avoidance of doubt.

The application site is surrounded by and forms part of a large area of open and undeveloped land, divided by hedge banks and trees, and forms part of a wider rural

landscape. The area is located within the Upland Escarpment as identified in Annex V of the Island Development Plan, described as providing a steep, apparently wooded backdrop to the lower landscapes and a physical division between those lower landscapes and the landscapes above.

Whilst the site will contribute to the wooded escarpment in longer views from the surrounding area, the proposed development would not result in the loss of any trees (in fact it is noted that additional planting has been undertaken around the perimeter of the site) and, given the scale, lightweight and reversible form of construction and location of the development, it would be unlikely to be apparent in those views and, if visible, would be of negligible impact.

In shorter views, the western part of the site is open to views from La Petite Hurette to the west. The eastern part of the site is however set over 100m to the east of that road, at a slightly lower level and behind an existing earthbank, limiting any views into that area. The topography of the area, combined with intervening hedge banks, trees and other vegetation prevent views of the eastern part of the site from the road to the south, or from the publicly accessible Grantez Mill viewpoint to the south-east.

The submitted information states that there is no intention to create any areas of hardsurfacing in association with the proposal, either to provide access or parking.

Overall, it is concluded that the polytunnel would not be visually prominent and would not, on balance, alter or undermine the undeveloped and open landscape character of the area, in accordance with Policies GP1 (Landscape Character and Open Land) and GP8 (Design). In light of this, and the planting which has already been undertaken along the north and west boundaries of the eastern part of the site, it is not considered that additional ameliorating planting would be required in this case. It is however recommended that a condition be attached to any decision issued to ensure removal of the polytunnel should the proposed use cease.

There are no residential properties in the vicinity of the application site, and the proposals would not therefore give rise to any adverse impacts on residential properties, having regards to Policies GP8d) and GP9b) (Sustainable Development).

Given the limited size of the development, for personal use only, it is not envisaged that approval of the application would give rise to significant additional vehicle movements, such as to raise concerns regarding road safety. As noted above, the proposal does not include the creation of any specific areas of hardstanding for access or parking. It is stated that persons currently accessing the site park vehicles immediately adjacent to the site access, next to the road in the west boundary, and this arrangement would continue. Whilst this would not, in itself, raise concerns, it should be noted that the creation of any areas of hardstanding for access or parking, for example to support deliveries to or from the site, would require planning permission and would need to be carefully considered in terms of land use and visual impacts.

Overall, in light of the above, it is found that the proposal meets the purpose of the Law, material considerations and relevant planning policies and approval is recommended, subject to the conditions set out above.

Date: 26/01/2026