

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 agricultural outbuilding/store to south-east of site.

LOCATION: Vineyard, Le Neuf Chemin Road, St. Saviour.

APPLICANT: Mr Andrew Guille

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: 23/01/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 03/11/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Layout Plan; CSB Elevations & Floor Plan; Kit Buildings UK specification sheet

Application Ref: FULL/2025/1725

Property Ref: E006550000+E011700000

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.Prior to the commencement of development, an environmental management plan relating to items that will be stored in the hereby approved building, detailing the method of storage of any item that could pose a pollution risk and measures to be put in place to prevent a pollution incident, shall be submitted to and approved in writing by the Authority. Items kept within the building shall be thereafter be stored in accordance with the agreed details.

Reason - In the interests of public health and safety and to protect the adjacent Area of Biodiversity Importance.

5.a) Prior to the commencement of work on the building hereby approved, a plan showing the location and details of new planting along the east boundary of the site, extending from the junction of Rue des Choffins/Le Neuf Chemin Road south, and to include planting schedules noting the species, sizes, numbers and densities of plants, shall be submitted to and agreed in writing by the Authority.

b) The planting shall thereafter be undertaken in accordance with the approved details, in the first planting season following the first occupation of any part of the building or completion of the building whichever is the sooner, 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 a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

6.Within six months of the date when use of the site for agricultural or horticultural purposes ceases, or such other period previously agreed in writing by the Authority, the building 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 building 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 building if there is no longer any agricultural/horticultural use of the land.

Expiry Date: This permission will cease to have effect on 22/01/2029 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/2025/1725
Property Ref: E006550000+E011700000
Valid date: 03/11/2025
Location: Vineyard Le Neuf Chemin Road St. Saviour Guernsey
Proposal: Erect agricultural outbuilding/store to south-east of site.

Applicant: Mr Andrew Guille

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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.

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in place to prevent a pollution incident, shall be submitted to and approved in writing by the Authority. Items kept within the building shall be thereafter be stored in accordance with the agreed details.

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Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

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Reason - Permission for the building 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 building if there is no longer any agricultural/horticultural use of the land.

OFFICER'S REPORT

Site Description:

The application site comprises an agricultural field of c8500m², planted up with vines, located to the south of Rue des Choffins and to the west of Le Neuf Chemin Road. The site slopes from north to south and is separated from the adjacent roads by a low bank, post and wire fencing and gorse planting, established along the north boundary and immature along the east boundary. The site is bounded by agricultural land to the west and across the roads to the north and east, and bounds the reservoir to the south.

The application site is located Outside of the Centres, within an Agriculture Priority Area, in the Island Development Plan. The reservoir is a designated Area of Biodiversity Importance.

Relevant History:

Pre-application advice regarding the erection of an outbuilding at the site.

Existing Use(s):

Agricultural Use Class 28

Brief Description of Development:

Permission is sought for the erection of a 12m x 6m x 3.7m (high) steel framed metal clad storage building in forest green in the south-east corner of the site.

In support of the application the following points are made:

- Two sites are owned by the applicant and were completely planted by April 2025, that subject of this application and further land at Rue de la Gallie (11,500m² F014320000 & F014330000).
- The Rue de la Gallie site forms part of a more open landscape and situating the building at that site would have greater impact;
- The proposed location is an awkward shape and heavily shaded, impacting on its potential for agricultural use;
- Significant site investigation and research has been undertaken, including consultation with an expert, to inform vine planting at the sites;
- Significant stone was found at the Reservoir field, and extensive works have been undertaken to remove this and render the field viable;
- Planting schemes have been undertaken to the boundaries at both sites, focussing on the south-westerly boundaries to provide shelter from the winds, and further native hedge planting is to be undertaken to the eastern sides of the sites over the 2025/26 winter;
- Indications are that the vines have taken well, showing good growth;
- It is anticipated that some harvest will commence in late 2027, with first wine available in 2028. Vines are expected to live for a minimum of 30 years. Anticipated production volumes are 5-7,000 bottles per annum. Wine will be sold locally, direct to public through specialist retailers, local restaurants and hotels;
- Tours of the site are offered to those interested in the establishment of a vineyard;
- Minimum equipment requirements for the vineyard, as advised by the consultant, include specialist vineyard tractor, mowing attachment and sprayers. The tractor plus attachment measures c5m in length, an additional 1m is proposed in depth to enable work to be undertaken to the machine),

- the additional bays will be used for other storage relating to the vineyard, including fertiliser, together with a work bench and tools storage;
- The building is easily demountable should the use cease.

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

OC6 Horticulture Outside of the Centres
GP1 Landscape Character and Open Land
GP8 Design
GP9 Sustainable Development

Representations:

None received.

Consultations:

The Office for Environmental Health and Pollution Regulation recommends the following condition:

The applicant draws up an environmental management plan which details how any item that could pose a pollution risk will be stored and measures to be put in place to prevent a pollution incident for items that will be stored in the proposed outbuilding/store.

Summary of Issues:

Whether the principle of the development complies with planning policy;
Impact on landscape character and open land.

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).**

Policy gateway

It is established that the use of land for the growing of vines falls within the definition of agriculture as set out within the Land Planning and Development (Use Classes) Ordinance, 2019, which includes horticulture and fruit growing. Horticulture is further defined within the Island Development Plan as: *“The intensive growing of plants for food, medicinal or decorative purposes, such as in glasshouses or plant nurseries”*. It is therefore considered that viticulture comprises an outdoor horticultural form of agricultural practice.

The introductory text to Agriculture Outside of the Centres in the Island Development Plan states: *“Certain agricultural land, which is horticultural land or a redundant glasshouse site, will be considered against the specific policies relating to this particular type of agricultural land because of the particular land planning issues it raises, i.e. horticultural or redundant glasshouse sites Outside of the Centres in this Plan (see Policy OC6: Horticulture Outside of the Centres)”* (IDP Paragraph 17.3.1). Taking the above into account, Policy OC6 (Horticulture Outside of the Centres) would form the policy gateway to consider the proposed development.

The principle of development

Policy OC6 supports proposals for new glasshouses, extensions, alterations, rebuilding or other works to existing glasshouses or buildings, or ancillary or ordinarily incidental development, associated with an existing commercial holding, where specified criteria are met.

In this case the proposal is not for new glass, or works to existing buildings, and can therefore only be considered where the proposals comprise ancillary development associated with an existing commercial holding. Sufficient information has been provided to demonstrate that the operation is established and of a scale to comprise a commercial holding, and it has been demonstrated that the proposed building is both necessary to support the holding and appropriate to the scale of the holding. Consideration can therefore turn to the remaining policy criteria of OC6:

a. The site forms part of an existing commercial holding which is in operation, or one which although disused could be brought back into operation for commercial horticulture without requiring the erection of significant areas of new glass;

As addressed above, it is accepted that the enterprise comprises a commercial holding.

b. The holding is considered to make, or be capable of making, a material contribution to the horticultural industry and is likely to continue to do so for the foreseeable future by virtue of its suitability for commercial operations;

The submitted information sets out the phasing, scale and future intentions for the site and satisfactorily demonstrates that the operation can become a commercial enterprise, capable of making an ongoing material contribution to the horticultural industry as the business becomes established.

c. It can be demonstrated that any areas of new commercial glasshouses are required to sustain the viability of the existing commercial operation;

No glass is proposed as part of this submission and it is not indicated that any glass would be required to support this operation.

d. On cessation of use, or when no longer required, any new structures permitted under this policy shall be totally removed and the land restored to other types of agricultural use or a use acceptable under the policies of the Island Development Plan;

The construction of the proposed building is such that it could be relatively easily removed should the use cease, and the applicant has confirmed this. This matter can be managed by planning condition.

Impact on open land, landscape character and the character of the area

Policy GP1 states that proposals will not be supported if they would result in the unnecessary loss of open and undeveloped land which would have an unacceptable impact on the open landscape character of an area, and states that development must, inter alia, respect the relevant landscape character type within which it is set.

Reinforcing this approach, Policy GP8 requires, inter alia, that development achieves a good standard of design and respects the character of the local built environment or the open landscape concerned.

In this case, the proposed location of the building is set at the lowest point of the site, with land sloping up and away to the north. The building would be set below the level of the roads to the north and east, against a robust planted boundary with the reservoir to the south. The topography, combined with a robust bank and planting, will prevent any views of the building from Rue des Choffins to the north. To the east, the ridge of the building would be at a similar height to the top of the boundary bank and views from the road would be very limited, and only slightly greater from the pedestrian footpath. The cited planting along that boundary, together with the proposed colour of the building, would however mitigate any impacts in that direction. Whilst it is noted that this planting is likely to have been carried out, it is recommended that a plan showing the location and details of the planting is required by condition, to ensure it is appropriate and so that the ongoing retention of that planting can be controlled. There are no longer views of the proposed location.

The proposed building has been demonstrated to be necessary to the operations at the site and, in light of the above, would not result in unacceptable impact on the open landscape character of the area.

Other matters

The proposed building would not give rise to any additional vehicle movements to the site, over those already associated with the viticultural activity. Reference is made within the submitted material to the use of the site for tours. As described, these would comprise an ancillary and incidental activity to the current operations and would not amount to a change of use, or require any further consideration as part of this application.

The proposed building would not, in itself, give rise to any adverse impacts on the adjacent Area of Biodiversity Importance. The submitted information demonstrates consultation with Guernsey Water and the Office for Environmental Health and Pollution Regulation have been consulted as part of the consideration of that application. To ensure no adverse impacts on the adjacent ABI and water reservoir, it is recommended that a condition be attached requiring details of the proposed storage of any item which could pose a pollution risk at the site.

The proposed building is set away from residential property and taking into account the scale and use of the proposed building, would not give rise to any adverse impacts on the amenity of nearby residential property, in accordance with Policy GP9b) (Sustainable Development).

The building is fit for purpose and would have a longer lifespan than other materials. The structure would meet the requirements of the Building Regulations. Consideration is being given to solar panels and rain water collection, as the building will not otherwise be connected to power or mains water. Whilst projected future solutions are not generally considered acceptable to meet the requirements of Policy GP9a) (Sustainable Development), taking into account the nature of this development the proposed design is considered acceptable.

Conclusion

Subject to the conditions set out above, the proposal would accord with the purpose of the Law, material considerations and relevant planning policies and approval is recommended.

Date: 21/01/2026

