

**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 agricultural land to domestic garden (2,396sqm).

**LOCATION:** La Rocquette, Rue Du Manoir, Forest.

**APPLICANT:** Mr & Mrs W Bertrand

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:** 12/08/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/05/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Jason Hobbs Architectural Services Ltd: 6638/A/1

**Application Ref:** FULL/2026/0723

**Property Ref:** H000710000

**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 landscape scheme shall be fully completed, in accordance with drawing number 6638/A/1, in the next planting season following the grant of this permission, i.e. by 31/03/2027. 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 - In the interests of biodiversity and visual amenity.

4. Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2023 (or any other Ordinance replacing or re-enacting that Ordinance), no sheds, greenhouses, outbuildings or other buildings or structures nor any fencing or walls shall be erected, constructed or placed on any part of the hereby approved extended domestic land.

Reason - In view of the location of the site in relation to wider areas of open and undeveloped land, the erection of such structures as 'exempt development' may have an adverse impact on the character and appearance of the locality. This condition is imposed to make sure that any proposals can be properly considered.

**Expiry Date: This permission will cease to have effect on 11/08/2029 unless development is commenced by that date.**

**ADVICE AND OTHER REMARKS:-**

There is potential for land contamination arising from the site's former use as a growing site and the historic presence of glasshouses. While the application does not indicate that the proposed fruit trees are intended for the cultivation of consumable produce, instead stating that they are to enhance biodiversity, consideration should nevertheless be given to the potential presence of contamination and any associated risks. Should the applicant intend to grow consumables on this land, it is recommended that they consider the potential for contamination and the associated risks.

**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](http://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](mailto: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/2026/0723  
**Property Ref:** H000710000  
**Valid date:** 12/05/2026  
**Location:** La Rocquette Rue Du Manoir Forest Guernsey GY8 0HZ  
**Proposal:** Change of use of agricultural land to domestic garden (2,396sqm).  
  
**Applicant:** Mr & Mrs W Bertrand

**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 landscape scheme shall be fully completed, in accordance with drawing number 6638/A/1, in the next planting season following the grant of this permission, i.e. by 31/03/2027. 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 - In the interests of biodiversity and visual amenity.

4. Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2023 (or any other Ordinance replacing or re-enacting that Ordinance), no sheds, greenhouses, outbuildings or other buildings or structures nor any fencing or walls shall be erected, constructed or placed on any part of the hereby approved extended domestic land.

Reason - In view of the location of the site in relation to wider areas of open and undeveloped land, the erection of such structures as 'exempt development' may have an adverse impact on the character and appearance of the locality. This condition is imposed to make sure that any proposals can be properly considered.

## **INFORMATIVES**

There is potential for land contamination arising from the site's former use as a growing site and the historic presence of glasshouses. While the application does not indicate that the proposed fruit trees are intended for the cultivation of consumable produce, instead stating that they are to enhance biodiversity, consideration should nevertheless be given to the potential presence of contamination and any associated risks. Should the applicant intend to grow consumables on this land, it is recommended that they consider the potential for contamination and the associated risks.

---

## **OFFICER'S REPORT**

### **Site Description:**

The site comprises of a detached dwelling to the south fronting onto Rue Du Manoir with a parcel of agricultural land the subject of this application to the rear (north) of the dwelling. The site is bounded to the east by agricultural land and to the north by a neighbouring residential dwelling. To the west is a highway with detached dwellings set within generous domestic curtilages. The site is located Outside of the Centres.

### **Relevant History:**

None

### **Existing Use(s):**

Agricultural use class 28

### **Brief Description of Development:**

Planning permission is requested for the change of use of a parcel of agricultural land measuring 2,396sqm to domestic land associated with the dwelling La Rocquette.

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

Policy OC5(B): Agriculture Outside of the Centres – outside the Agriculture Priority Areas

Policy GP1: Landscape Character and Open Land

Policy GP15: Creation and Extension of Curtilage

### **Representations:**

Three letters of representation were received, main points as follows:

- The agent notes that the land is undesignated, this should not automatically lead to the assumption that it is worthless and thus expendable.
- The site is not too small that it cannot be farmed.
- The agent advises that there will be no loss of biodiversity but it is unclear whether any assessment of existing biodiversity has been undertaken. The biodiversity mitigation lacks detail and the proposed wildflower meadow includes non-natives.
- If a wildlife habitat is desired then the field should be managed as a perennial hay meadow.
- The National Trust of Guernsey comment that the land in question is one of many fields that form a large concentration of farmland. The approval of the application would reduce and dilute the area of natural pasture land/agricultural land. The existing garden is very sizeable and should be capable of providing adequate amenity space for the house on this site.
- One letter of representation on behalf of La Societe Guernesiaise advises that they remain concerned over the reclassification of agricultural land to domestic curtilage. However as the Island Development Plan currently permits the consideration of such applications they seek to optimize ecological gains in such cases.
- La Societe Guernesiaise notes and welcomes that the application includes some biodiversity measures. It is highlighted that for the size of the proposed curtilage the biodiversity measures are limited; bat boxes should face SE-S-SW (the opposite direction to bird boxes); 10 hedgehog boxes is excessive, 2-3 is sufficient; and it is suggested to reduce the proportion of blackthorn within the native hedge in favour of other species such as Field Maple (*Acer campestre*).
- La Societe Guernesiaise recommend that the site is assessed by a suitably qualified person to determine its current ecological value and that any subsequent mitigation measures consider existing biodiversity to ensure a net gain is secured.
- La Societe Guernesiaise advise that they are available to assist with matters relating to biodiversity, for example surveys and providing suitable recommendations about native planting and ongoing maintenance.

### **Consultations:**

#### Forest Douzaine, 23/06/2026

"At the Forest June Douzaine Meeting it was agreed to object to a change of use from agricultural field to domestic garden".

#### The Office of Environmental Health and Pollution Regulation, 07/07/2026

"I have reviewed the proposed plans for La Rocquette which were received by email on 1<sup>st</sup> July 2026 and I do not wish to raise any objections to the proposals.

I would request however that the following informative is included should the application be granted:

- There is potential for land contamination arising from the site's former use as a growing site and the historic presence of glasshouses. While the application does not indicate that the proposed fruit trees are intended for the cultivation of consumable produce, instead stating that they are to enhance biodiversity, consideration should nevertheless be given to the potential presence of contamination and any associated risks".

### **Summary of Issues:**

The main issues in deciding this application are:

1. The impact on the landscape character and openness of the area.
2. The loss of agricultural land.
3. Whether the proposal would result in biodiversity enhancements.

### **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 proposal to change the use of the land to a domestic use falls to be considered principally under Policies OC5(B), GP15 and GP1 of the Island Development Plan.

The site is not within an Area of Biodiversity Importance, no changes to the existing boundaries are proposed and the proposed use of the land for domestic purposes would have no adverse effects on neighbouring residents.

#### Impact on the landscape character and openness of the area

The site is located within the Upland Plateau landscape as identified in Annex V of the Island Development Plan and the character of the area is most akin to the Western Plateau subzone.

Since the adoption of the Island Development Plan, planning permission has been granted for the change of use of substantial parcels of agricultural land to domestic use on neighbouring properties to the west. As a result, detached dwellings situated within generous expanses of domestic land are not uncommon in the area.

The land the subject of this application provides a break in the ribbon development of properties along La Rue Des Fosses and contributes positively to the rural character of this lane. However, the site includes well established planting along boundaries which restrict wider views across adjoining open and undeveloped land and the land does not project beyond the existing eastern domestic boundary into adjoining open and undeveloped land. In addition, neighbouring properties to the west of La Rue Des Fosses have previously been granted permission for similar proposals to change the use of substantial parcels of land bordering the lane to domestic use. Provided that the undeveloped nature of the land is retained, the proposed change of use of the land may not have a significant adverse effect on the openness and landscape character of the area. To minimise the impact on the openness and landscape character of the area, it is recommended that exemptions rights for fences, walls, sheds, outbuildings, greenhouses and other buildings or structures is revoked. On balance, the proposed change of use of the land is unlikely to have a significant adverse effect on the landscape character of the area, in accordance with Policies GP15 and GP1.

#### The loss of agricultural land

The site is not located within an Agriculture Priority Area. Policy OC5(B) supports the loss of agricultural land outside of Agriculture Priority Areas where the proposed new use accords with other relevant policies of the Island Development Plan. This provides a policy gateway for the change of use proposed and consequently there are no objections to the loss of agricultural land in this case.

#### Whether the proposal would result in biodiversity enhancements

The proposed landscaping scheme includes the planting of native hedging along the entire west, north and east boundaries, amounting to a length of approximately 140m. In addition, it is proposed to plant 20 trees, to create a small area of wild flowers and to install bird and bat boxes and hedgehog houses. Whilst the representors comments about the lack of assessment of existing biodiversity and the proposed species including the use of some non-native species within the wild flower mix are noted, on balance the proposed planting has the potential to provide proportionate biodiversity enhancements. To ensure that appropriate biodiversity enhancements are achieved in a timely manner, it is recommended that the proposed landscaping scheme is completed by the end of the next planting season, i.e. by 31/03/2027.

#### Other Matters

To address the concerns raised by The Office of Environmental Health and Pollution Regulation about the potential for contaminated land, it is recommended that a note is applied to the decision notice to advise of the potential risks of contamination should it be intended to grow consumables on this land.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

It is recommended that the application is approved.

**Date:** 07/08/2026