

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: Demolish and remove existing glasshouses, erect 2 horticultural polytunnels, install hardstanding and associated works.

LOCATION: Horticultural Land at, Les Juqueurs Road, Vale.

APPLICANT: Jason Arnold Brache

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: 30/07/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 02/06/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Robert W Le Page: 6146/wd/01, 02

Application Ref: FULL/2026/0903

Property Ref: C00549A000

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, and is used for the cultivation of crops, is free from contamination, in the interests of public health and safety.

5. For the avoidance of doubt, this decision permits the installation of two polytunnels, which shall be used solely for horticultural/agricultural purposes and for no other purpose.

Reason - To clearly define the permission and to ensure that the polytunnels are only used for horticultural/agricultural purposes and are not used for storage in respect of other land uses, as this may require a separate grant of planning permission.

6. Within 2 months of the cessation of the horticultural/agricultural use of the hereby approved polytunnels, the polytunnels shall be removed from the site in their entirety.

Reason - To ensure that the horticultural structures are removed and the land returned to agricultural use in the interests of sustainability by preventing the structures dilapidating (Policy GP9), and to respect the landscape character and quality of the land (Policy GP1) and visual amenity.

Expiry Date: This permission will cease to have effect on 29/07/2029 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/2026/0903
Property Ref: C00549A000
Valid date: 02/06/2026
Location: Horticultural Land at Les Juqueurs Road Vale Guernsey
Proposal: Demolish and remove existing glasshouses, erect 2 horticultural polytunnels, install hardstanding and associated works.

Applicant: Jason Arnold Brache

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, and is used for the cultivation of crops, is free from contamination, in the interests of public health and safety.

5. For the avoidance of doubt, this decision permits the installation of two polytunnels, which shall be used solely for horticultural/agricultural purposes and for no other purpose.

Reason - To clearly define the permission and to ensure that the polytunnels are only used for horticultural/agricultural purposes and are not used for storage in respect of other land uses, as this may require a separate grant of planning permission.

6. Within 2 months of the cessation of the horticultural/agricultural use of the hereby approved polytunnels, the polytunnels shall be removed from the site in their entirety.

Reason - To ensure that the horticultural structures are removed and the land returned to agricultural use in the interests of sustainability by preventing the structures dilapidating (Policy GP9), and to respect the landscape character and quality of the land (Policy GP1) and visual amenity.

OFFICER'S REPORT

Brief Description of the site:

The application site consists of a redundant glasshouse site located to the east of Les Juqueurs Road. The land is accessed via a narrow track which runs down the side of two residential properties, known as Les Juqueurs Cottage and Lyncol.

The site is located in a Main Centre Outer Area as designated in the Island Development Plan. The site to the north is recognised as a protected building.

Planning permission is sought to demolish and remove existing glasshouses and erect 2x horticultural polytunnels, install hardstanding and associated works.

The polytunnels measure 30m l x 9m w x 3.6m h, and will be aluminium framed, with a polythene cover, featuring ventilation fans, with doors on both on the north and south elevation.

Relevant History:

None.

Existing Use(s):

Agricultural/horticultural.

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

✓
✓
✓
✓

visual amenity acceptable
no material neighbour impact
traffic not affected

✓
✓
✓

Policies considered most relevant:

S1 Spatial Policy
GP1 Landscape Character and Open Land
GP5 Protected Building
GP8 Design
GP9 Sustainable Development
GP20 Exceptions

Consultation:

The Office of Environmental Health and Pollution Regulation's comments:

"I have reviewed the proposed plans for the above referenced application which were received by email on 11th June 2026 and there is an issue of concern that I must raise due to the previous use of the land as glasshouses.

Historical activities associated with heated greenhouses have the potential to give rise to land contamination. Contaminants commonly associated with such use include hydrocarbons and heavy metals, which may have been released into the ground during the operational life of the glasshouses.

In view of the site's historical use and the potential risk of contamination, I request that the following condition be attached to any planning 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 subjection (i)(c) of this condition that any remediation scheme required and approved under the provisions of subjection (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 subjection (i)(c) of this condition.

I would be grateful if these issues are considered during the determination of this application."

Conclusion/Brief comment:

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.

Policy context:

While the site is recognised as a redundant glasshouse site due to the state and condition of the glasshouses on the land, the site is located in a Main Centre Outer Area, and therefore does not engage Policy OC7 (Redundant Glasshouse Sites Outside of the Centres). For the avoidance of doubt, Policy OC5 (B) (Agriculture Outside of the Centres – outside the Agriculture Priority Areas) is also not engaged given its designation within a Main Centre, and not Outside of the Centres.

Policy GP20 (Exemptions):

Given that there is no obvious policy gateway specific to the type of the development in the Main Centres, it is reasonable to apply Policy GP20 (Exemptions) given the unusual circumstances. Policy GP20 (Exemptions) states that:

"Where there is not a policy which is specifically relevant to the development proposed, planning applications will be assessed on their merits, on a case by case basis. Proposals will need to accord with the Spatial Policy (S1) and the

relevant General Policies and any other policies that the Authority considers relevant and will be consistent with the Principal Aim and the relevant Plan Objectives of the Island Development Plan.”

Given that the existing two spans of glass are proposed to be replaced with two large polytunnels, the resultant visual impact is considered to be negligible, particularly as the site is well screened in public views due to existing ribbon development along Les Juqueurs Road and Rue Des Barras.

Overall, the design and siting of the proposed polytunnels is acceptable (Policy GP8) and is ancillary to the existing principal agricultural use of the land. They are no other structures on the site that could be used or reasonably adapted for the proposed purpose, and the proposal will not have an adverse effect on the landscape character (Policy GP1) or amenity of the locality, or the amenities of neighbouring residents.

While it is recognised that the use of the site, once the polytunnels are operational, is likely to result in a greater intensification of use in terms of traffic flows when compared to the redundant glasshouse, the former use of the site as a working vinery does not have any planning restrictions in place with regards to vehicular movements, and therefore this is considered to have a neutral effect.

In light of the above, the proposal is considered to comply with Policy GP20, as well as the Spatial Policy (S1) of the Island Development Plan.

Setting of protected buildings:

The Authority also has a duty under Section 34 of the Land Planning and Development (Guernsey) Law, 2005, to secure so far as possible that the special interest of a protected building is preserved, and with respect to a protected building or any other building or land in the vicinity of a protected building, to pay special attention to the desirability of preserving the protected building's special characteristics and setting. With regards to the setting of protected buildings, this duty is encapsulated in Policies GP5 and GP8.

The site is situated within the vicinity of protected buildings to the north and south of the site. Taking into account the location, limited scale, appearance and type of development, any effect would be negligible and would not be so substantial to warrant the refusal of planning permission. The proposal accords with Policies GP5 and GP8 in respect of its impact on the setting of protected building.

With regard to the criterion of Policy GP9 (Sustainable Development), the proposed development will comply with Building (Guernsey) Regulations 2012, and therefore has taken into account the use of energy, resources and environmental considerations.

Due to the potential use of the site for horticultural/agricultural purposes, together with the breaking of ground to facilitate the development; it is considered necessary and reasonable to attach a condition to the effect of The Office of Environmental Health and Pollution Regulation's comments in the interests of safeguarding the public with regards to health and safety.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 30/07/26