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 store to north of lakeside (site of Protected Building) (revised scheme).

LOCATION: Le Groignet, Rue A L'Eau, Castel.

APPLICANT: Mr Mark Martin

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 08/07/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Arch+: 229-3-313 Rev A, 306 Rev B and letter dated 03/06/2026 (client ref - 229)

Application Ref: FULL/2026/1008

Property Ref: D002810000

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. Within six months of the date when use of the building for the storage of machinery as set out on page 3 of the Arch+ letter dated 03/06/2026 ceases, or such other period previously agreed in writing by the Authority, the building hereby permitted and the associated jetty hereby approved shall be removed from the site. The land shall be reinstated to its former condition 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 maintenance and management of the woodland and agricultural land. There is no justification to retain the building if there is no longer any maintenace requirement associated with the land.

5. No development shall begin on site until an Environmental Management Plan, which details how any item stored within the approved building that could pose a pollution risk will be stored and the measures to be put in place to prevent a pollution incident has been submitted to and agreed in writing by the Authority. Thereafter, tools and equipment shall be stored and maintained in accordance with the agreed Environmental Management Plan.

Reason - In the interests of public health and safety.

Expiry Date: This permission will cease to have effect on 11/08/2029 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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2026/1008
Property Ref:	D002810000
Valid date:	08/07/2026
Location:	Le Groignet Rue A L'Eau Castel Guernsey GY5 7AL
Proposal:	Erect agricultural store to north of lakeside (site of Protected Building) (revised scheme).
Applicant:	Mr Mark Martin

RECOMMENDATION - Grant: Planning Permission with Conditions:

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OFFICER'S REPORT

Brief Description of the site:

Le Groignet, Rue A L'Eau is a detached dwelling. A detached outbuilding is situated to the southwest of the main house and an area of parking is also situated to the front of the property. The lake and area that is the subject of this application are situated to the north of the house, outside the recognised domestic curtilage and in a part of the site that has tree coverage. A Guernsey Water site is situated to the north, and that site forms the corner with Kings Mills.

The site falls within the Valleys landscape character (Annex V of the IDP) and it is noted that the valleys provide one of the main areas where woodland survives in Guernsey. The naturalised woodland appearance is considered a distinctive feature in the landscape around the lake with a positive contribution to the landscape character and appearance of the area.

The site is located Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan. Land to the west is within an Area of Biodiversity Importance. The property is a protected building. The whole building, together with the outbuildings and roadside arched entrance (situated to the southeast of the site) fall within the protected building listing.

Relevant History:

FULL/2025/1505 – Erect agricultural store and decking area over lake, to north of lake side (site of Protected Building) – refused

Pre-application advice was sought in this case.

Existing Use(s):

01 dwellinghouse
28 agriculture

Assessment: *(Tick as appropriate)*

no representation	x	visual amenity acceptable	x
accords with policy	x	no material neighbour impact	x
within curtilage	x	traffic not affected	x
design acceptable	x		

Policies considered most relevant:

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
GP5: Protected Buildings
GP8: Design
GP9: Sustainable Development

Consultations:

The Office of Environmental Health and Pollution Regulation – commented on the previous scheme:

Following consultation with Guernsey Water, and due to the site's proximity to Kings Mills Water Treatment Works, I recommend that the following condition be applied should the application be successful:

- 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

Agriculture, Countryside and Land Management Services– commented on the previous application.

Conclusion/Brief comment:

The proposal relates to the erection of a maintenance building and associated deck on land adjacent to the lake at Le Groignet. The land is recognised as being agricultural for planning purposes.

The applicant has submitted a supporting letter addressing the previous reasons for refusal. The letter explains that the site requires ongoing management and maintenance of the lake and surrounding land, including vegetation, trees, water margins and associated infrastructure. It highlights several practical constraints affecting the site. The steep-sided valley and narrow access points restrict the movement of vehicles and machinery, making it difficult to transport equipment from other locations. In addition, the site is located within a floodplain and experiences seasonal flooding, which can prevent access to large areas for extended periods. As a result, maintenance equipment needs to be stored close to the lake to ensure year-round operational access. The letter also notes that a significant area of adjacent woodland requires regular maintenance to manage vegetation, ensure tree safety and protect nearby infrastructure, including the Guernsey Water pumping station. The submission letter also provides further details relating to the need for the building and tools/equipment proposed to be stored in the structure (large and small). The jetty design is to facilitate access to the lake. The building is designed with a simple pitched roof with a metal clad roof and timber clad walls and is modest and proportionate to directly support the ongoing maintenance, management and safe operation of the site. Confirmation has been provided that should the land no longer require maintenance or ownership pass to a party not responsible for its maintenance then the building, jetty etc would be removed. This matter can be managed by planning condition.

The submission briefly touches on the location of the proposed building in terms of ground levels and access conditions are suitable but also highlighting that the siting would minimise disturbance to the wider agricultural land and unnecessary movement of equipment through sensitive areas etc. Other locations were discussed through the pre-application enquiry stage with explanations given for them being discounted which tie into the points raised elsewhere in the letter and summarised in the report e.g. flooding, pinch points etc.

As per the previous schemes the Authority is satisfied that there are no other (authorised) buildings on the agricultural land which could be used for the purposes set out in the application and Policy OC5(A) offers a gateway for the proposed building. The building is proposed primarily for land and lake maintenance purposes which is not technically an agricultural activity itself. Policy OC5(A) clearly sets out that proposals that will result in the loss of agricultural holdings or agricultural land may only be supported where it is demonstrated that the land is no longer required for agricultural purposes and the new use accords with all other relevant policies. Based on the information provided, the use would not represent informal leisure and recreation so Policy OC9 is not engaged.

The external appearance of the building remains functional in its appearance with a timber clad exterior and no windows, rooflights are proposed to offer natural light to the internal space. The scheme represents a good standard of design that respects the open landscape concerned and will not impact on neighbour amenity or the wider landscape character.

The key issue in this case is the position of the building on the site, its impact on the wider open landscape and whether it would impact on the agricultural use of the APA. The building will be substantially screened from view due to the well-established landscaping on the site and site topography. Its position is such that it will not result in harm to residential amenity (OC9 ii., GP1, GP8 and GP9). With the additional information provided in this case it is concluded that the building is appropriately positioned on the land to minimise the effect of the development on the use and function of land within the APA.

The proposal is not considered to have a significant impact on the special interest of the protected building, or its setting and so is in accordance with Policy GP5.

Matters previously raised by ACLMS in relation to the refused application have been resolved and are no longer relevant to this revised submission.

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.

In view of the above it is recommended permission is granted including conditions relating to the use and removal of the building.

Recommendation:
Grant with Conditions [x]

Date: 11/08/2026