

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: Install solar panels to north west boundary of agricultural land.

LOCATION: Deloro Lodge, Route Des Pecqueries, St. Sampson.

APPLICANT: Mr & Mrs M J Smith

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: 03/07/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/05/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block plan and written information (dated 12/05/25).

Application Ref: FULL/2025/0678

Property Ref: B019760000

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 solar panels hereby permitted shall be removed from the site when they are no longer in operation or required, whichever is sooner, and the land shall be reinstated to its former condition.

Reason - To ensure that the field is returned to its former state once the solar panels are no longer in use.

Expiry Date: This permission will cease to have effect on 02/07/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the dwelling presently known as Deloro Lodge.

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/2025/0678
Property Ref: B019760000
Valid date: 12/05/2025
Location: Deloro Lodge Route Des Pecqueries St. Sampson Guernsey
GY2 4TQ
Proposal: Install solar panels to north west boundary of agricultural
land.
Applicant: Mr & Mrs M J Smith

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 solar panels hereby permitted shall be removed from the site when they are no longer in operation or required, whichever is sooner, and the land shall be

reinstated to its former condition.

Reason - To ensure that the field is returned to its former state once the solar panels are no longer in use.

INFORMATIVES

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the dwelling presently known as Deloro Lodge.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Deloro Lodge' is a detached one and a half storey dwelling built in the mid-20th century. The dwelling is set back from and faces northwest onto Route des Pecqueries. There is a detached neighbour to the southwest, agricultural land and an old vinery to the northeast (including within the same ownership) and open land to the southeast. Across the road to the northwest is the coast. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

A pre-application enquiry in 2023.

Existing Use(s):

Residential use class 1: dwelling house.

Agricultural use class 28: agriculture.

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:

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

GP8: Design

GP9: Sustainable Development

IP1: Renewable Energy Production

Consultations:

The Office of Environmental Health and Pollution Regulation.

'I have reviewed the proposed plans for Deloro Lodge which were received by email on 20th May 2025 and I do not wish to raise any objections to the proposals.'

Conclusion/Brief comment:

This application is to install a 17m run of ground mounted solar panels just inside the northwest boundary of the agricultural land adjacent to (northeast of) the dwelling. The land is at a much lower level than the road level, with an approx. 2-3m levels difference.

Due to the lower ground level position of the panels they are unlikely to be seen from any public vantage points. There are no neighbouring properties which can see the panels from within the site. Environmental Health have been consulted, but did not raise any concerns.

Policy IP1: Renewable energy production states that proposals that involve the development of greenfield land, other than redundant glasshouse sites, will only be supported where the renewable energy infrastructure is subterranean and it can be demonstrated that the proposal will not compromise the ability to utilise the land for agricultural purposes.

In this instance, however, the solar panels clearly cannot be underground and the applicants have requested a minor departure from this policy. The solar panels will be placed in a line on a strip of land very close to the granite boundary wall, which means the rest of the field will be able to be used for agriculture in the future.

The scale and massing of the solar panels are not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will they have any impacts on any of the immediate neighbours.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

In this case, for the reasons described above, the proposals are considered to represent only a minor departure from Policy IP1 and the grant of permission is recommended, subject to conditions including that the solar panels are removed from site as soon as they are no longer required /no longer in use, to return the whole of the land to agriculture use.

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 considered in the assessment of this application.

Recommendation:
Grant with Conditions



Date: 02/07/2025

