

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 (1,305sqm),
demolish existing shed, erect shed to east boundary.

LOCATION: Sunnyside Villa, Les Salines Road, St. Sampson.

APPLICANT: Mr I Laine

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: 25/07/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/06/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Bhp - G4791-03-03 A, 03-04A, 03-05

Application Ref: FULL/2025/0794

Property Ref: B016140000

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.If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety.

5.a) The landscaping/biodiversity scheme hereby approved shall be fully completed in the first planting season after the approval date, or in accordance with a programme previously agreed in writing by the Authority.

b) 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 the landscaping scheme provides a biodiversity enhancement for the site in line with the aims of the Strategy for Nature, 2020 SPG.

Expiry Date: This permission will cease to have effect on 24/07/2028 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/2025/0794
Property Ref: B016140000
Valid date: 04/06/2025
Location: Sunnyside Villa Les Salines Road St. Sampson Guernsey GY2 4FH
Proposal: Change of use of agricultural land to domestic garden (1,305sqm), demolish existing shed, erect shed to east boundary.
Applicant: Mr I Laine

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. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety.

5. a) The landscaping/biodiversity scheme hereby approved shall be fully completed in the first planting season after the approval date, or in accordance with a programme previously agreed in writing by the Authority.

b) 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 the landscaping scheme provides a biodiversity enhancement for the site in line with the aims of the Strategy for Nature, 2020 SPG.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Sunnyside Villa' is an early 20th century detached two storey dwelling, which is set back from and faces south onto Les Salines Road. There are neighbouring properties to the west, north and south across the road and to the east is an open field with a patch of woodland. Land to the rear is currently recognised as agricultural land. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

Agricultural use class 28: agriculture.

Assessment: *(Tick as appropriate)*

no representation

✓
✓

accords with policy

visual amenity acceptable

✓
✓

no material neighbour impact

within curtilage
design acceptable



traffic not affected



Policies considered most relevant:

OC5(B): Agriculture Outside of the Centres – outside the Agriculture Priority Areas
GP1: Landscape Character and Open Land
GP13: Householder Development
GP15: Creation and Extension of Curtilage

Consultations:

The Office of Environmental Health and Pollution Regulation.

'I have reviewed the proposed plans for Sunnyside Villa which were received by email on 9th June 2025 and there is an issue of concern that I must raise. The historic records show that the site has hosted heated greenhouses, I would have concerns for contaminated land from hydrocarbons. Due to the size of the proposed extensions to domestic curtilage I would be inclined to recommend the planning Authority apply a discovery condition to any permission granted.'

Discovery Strategy

- 'If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.'*

Conclusion/Brief comment:

This application is for a change of use of the agricultural land into the domestic curtilage/garden rear of the house, and to demolish the existing shed and erect a slightly larger shed in the same location along the east boundary.

Land to the rear once three double glasshouses on it, they were removed by 1990 and the land has been laid to lawn with some trees and shrubs growing ever since. Initially the application was to extend the curtilage by 30sqm to encompass the shed into the domestic curtilage so it could be removed and replaced with a larger one.

However, during a site visit it was noted that the whole of the garden is being used as a domestic garden with a play set, seating and other domestic paraphernalia dotted about the land. In order to regularise the use of the garden it was suggested that they apply for the whole garden to become curtilage.

Since then the agent has altered the drawings to show the whole site as domestic curtilage, with proposed biodiversity enhancements to address the Strategy for

Nature SPG. It is noted that the site does not fall within an Area of Biodiversity Importance nor within the Agriculture Priority Area. The enhancements include installing a pond in the centre, a large pollinator patch close to the north boundary and augmenting the boundaries with native hedge species.

These three additions, along with the list of planting, are considered to be appropriate for the size of the land changing use, the shed is also considered to be suitable for the size of the garden.

The proposals are considered to respect the landscape character, will not result in the unacceptable loss of any distinctive features. There will be no loss of any boundary features.

The proposals are not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will they have an adverse on either of the immediate neighbours.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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.

Recommendation:

Grant with Conditions



Date: 25/07/2025