

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: Subdivide dwelling to create 2 dwellings with associated works and remove section of roadside wall to create vehicle access.

LOCATION: Long Eaton, Rue Du Manoir, Forest.

APPLICANT: Mrs K Ferris

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: 14/08/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 01/07/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Evans Architecture Ltd: 2502 03.01, 02A.

Application Ref: FULL/2025/0893

Property Ref: H000770000 + H00077A000

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, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

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

5. Within four weeks of the new access being formed, the end of the new opening shall be finished off using materials and a method of construction which match the remainder of the roadside boundary.

Reason - In the interests of visual amenity.

7. Prior to the commencement of any work in connection therewith:

a) details of the proposed 1.8m high fence and gate to the east of unit 1, to separate the parking area from its garden to the north; and

b) notwithstanding the details shown on the approved plans, details of a suitable boundary treatment:

i) from points A to B as shown on the approved plans; and

ii) dividing the site frontage for units 1 and 2

shall be submitted to and agreed in writing by the Authority. No occupation of either dwelling in the subdivided property shall be occupied until b) ii) has been fully completed in accordance with the agreed details. Unit 2 shall not be occupied until the boundary treatment agreed under b) i) above has been installed. The boundary

treatments agreed under b) above shall thereafter be retained at all times.

Reason - In the interests of residential and visual amenities.

8. The 1.8m high fence shown between units 1 and 2 shall be erected prior to the first occupation of either dwelling hereby approved and shall thereafter be retained at all times.

Reason - In the interests of residential amenity.

Expiry Date: This permission will cease to have effect on 13/08/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, the Authority does not recognise all of the land outlined in red on the submitted plan(s) as forming the domestic curtilage associated with the dwelling presently known as Long Eaton. The land recognised as domestic curtilage by the Authority is identified on the plan enclosed with this decision notice.

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/2025/0893
Property Ref: H000770000 + H00077A000
Valid date: 01/07/2025
Location: Long Eaton Rue Du Manoir Forest Guernsey GY8 0HZ
Proposal: Subdivide dwelling to create 2 dwellings with associated works and remove section of roadside wall to create vehicle access.

Applicant: Mrs K Ferris

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, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

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

5. Within four weeks of the new access being formed, the end of the new opening shall be finished off using materials and a method of construction which match the remainder of the roadside boundary.

Reason - In the interests of visual amenity.

7. Prior to the commencement of any work in connection therewith:

a) details of the proposed 1.8m high fence and gate to the east of unit 1, to separate the parking area from its garden to the north; and

b) notwithstanding the details shown on the approved plans, details of a suitable boundary treatment:

i) from points A to B as shown on the approved plans; and

ii) dividing the site frontage for units 1 and 2

shall be submitted to and agreed in writing by the Authority. No occupation of either dwelling in the subdivided property shall be occupied until b) ii) has been fully completed in accordance with the agreed details. Unit 2 shall not be occupied until the boundary treatment agreed under b) i) above has been installed. The boundary treatments agreed under b) above shall thereafter be retained at all times.

Reason - In the interests of residential and visual amenities.

8. The 1.8m high fence shown between units 1 and 2 shall be erected prior to the first occupation of either dwelling hereby approved and shall thereafter be retained at all times.

Reason - In the interests of residential amenity.

INFORMATIVES

For the avoidance of doubt, the Authority does not recognise all of the land outlined in red on the submitted plan(s) as forming the domestic curtilage associated with the dwelling presently known as Long Eaton. The land recognised as domestic curtilage by the Authority is identified on the plan enclosed with this decision notice.

OFFICER’S REPORT

Brief Description of the site:

Long Eaton is a detached, hipped roof bungalow with various single-storey extensions to the rear. Vehicular access is from the south, adjacent to the east site boundary from Rue du Manoir. Land to the east is open and undeveloped. An existing dwelling, which has previously been subdivided, is situated to the west. Open and undeveloped land is located to the north of the site.

The application relates to the subdivision of the existing dwelling to create two, one bedroom dwellings with associated alterations to fenestration and the division of the existing area of domestic curtilage to provide two separate areas of private amenity space. A 4m wide vehicular access is proposed to serve unit 2 whilst the existing access will serve unit 1 and the agricultural land beyond, to the north.

The site is located Outside of the Centres as designated in the Island Development Plan.

Relevant History:

FULL/2024/0636 – demolish extension, erect single-storey extension to rear – granted

FULL/2016/0191 - Extend domestic curtilage – granted

Existing Use(s):

01 dwellinghouse
28 agriculture

Assessment: *(Tick as appropriate)*

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

Policies considered most relevant:

OC1: Housing Outside of the Centres
GP8: Design
GP9: Sustainable Development
GP13: Householder development

Consultation:

Office of Environmental Health and Pollution Regulation - have reviewed the proposed plans for the subdivision of the existing dwelling to create two separate dwellings at the above site. There are a number of issues of concern regarding the land contamination that I must raise.

With respect to the subdivision of domestic curtilage, there is potential for contamination on this land due to its former use as a growing site and the historic presence of several glasshouses. Should the applicant intend to grow consumables on this land, we recommend that they consider the potential for contamination and the associated risks.

As the breaking of ground is limited to the south of the site and some distance from the historic glasshouses, I do not believe it would be proportionate to recommend a full contaminated land condition. I would however recommend a discovery strategy condition.

Conclusion/Brief comment:

Policy OC1 makes provision for the creation of new dwellings Outside of the Centres but only through the subdivision of an existing dwelling (or conversion of a redundant building which is not applicable here).

The property is located in an area where sporadic ribbon development exists, with a variety of property sizes and styles (detached and semi-detached are present in the vicinity). The residential use and division of the site to create two dwellings is therefore compatible with the character and amenities of the surrounding area.

The development will provide future occupiers with a satisfactory living environment with access to private amenity space and off-road parking. The accommodation will be offer adequate sunlight and daylight to the accommodation as laid out and the alterations to the exterior of the building are minor, with no extensions proposed. As a result the scheme complies with Policy OC1 and GP8 in terms of good design, the character of the local area and amenities of future occupiers.

Given the wrap around nature of the proposed garden (within approved curtilage) of unit 1 a hedge alone, particularly when newly planted and possibly not 2m as shown on the drawings would not provide an adequate screen to provide sufficient privacy to the amenity space of units 1 or 2. As a fence or hedge with temporary screen, or combination of the two, would be acceptable in this location (set away from the wider site curtilage and open landscape concerned) a condition can be imposed requesting details of the applicant/developers choice of boundary treatment to be agreed in writing by the Authority and implemented before unit 2 is occupied.

The proposed subdivision and alterations to the property will not result in harm to the amenities enjoyed by the occupiers of any surrounding dwellings.

With regard to the proposed 4m wide vehicular access, the site is not situated in a Conservation Area and although a section of the boundary wall has been lost, a large proportion will remain intact and will continue to provide an adequate boundary feature. In this particular instance it is considered therefore that any adverse impact on the character of the area as a result of the development is not so substantial to warrant the refusal of planning permission. The scheme is considered satisfactory in terms of parking provision and highway safety.

Although specific reference is not made to cycle storage there would be adequate space within the curtilage of both dwellings for such provision and having regard to the current householder exemption rights for cycle storage, small sheds and other outbuildings. In this case it is not considered necessary to control this matter by condition.

The comments and concerns raised by Environmental Health are noted and as recommended the matter of possible contaminated land can be managed by condition/informative notes.

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 for the development subject to conditions relating to:

- The ends of the new opening being finished off to match the remainder of the roadside boundary
- Boundary treatment currently shown as a hedge
- Boundary fence to rear
- Details of front dividing boundary between units 1 and 2
- Contamination discovery strategy

Recommendation:

Grant with Conditions



Date: 13/08/2025

