

**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/tent, lay grid matting and install steps on agricultural land (Site of a Protected Building) (Retrospective).

**LOCATION:** Springwood House, St. John's Road, St. Peter Port.

**APPLICANT:** Mr & Mrs Clegg

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:** 25/11/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/09/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Naftel Associates - A250702 SD 01A, SD 05A

**Application Ref:** FULL/2025/1394

**Property Ref:** A109360000

**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 structure hereby approved shall be used only for purposes ancillary and incidental to the maintenance of the land on which it sits and shall at no time be used for any ancillary domestic purpose.

Reason - Permission has been granted on the basis that the use will be limited to that outlined above. Any other use is likely to raise different planning policy considerations.

5.Within six months of the date when use of the structure and associated surfacing hereby approved for purposes associated with the maintenance of the land ceases, or such other period previously agreed in writing by the Authority, the structure and surfacing shall be removed from the site.

Reason - Permission for the building and surfacing has been granted only on the basis that it is required in association with the maintenance of the land. There is no justification to retain the building if there is no longer any requirement for that use.

**Expiry Date: This permission will cease to have effect on 24/11/2028 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](http://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](mailto: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/2025/1394  
**Property Ref:** A109360000  
**Valid date:** 11/09/2025  
**Location:** Springwood House St. John's Road St. Peter Port Guernsey  
GY1 1WZ  
**Proposal:** Erect agricultural store/tent, lay grid matting and install steps  
on agricultural land (Site of a Protected Building)  
(Retrospective).  
**Applicant:** Mr & Mrs Clegg

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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## **OFFICER'S REPORT**

### **Site Description:**

The application site comprises a substantial dwellinghouse located within the domestic curtilage between St John's Road to the north and Rope Walk Lane to the south and extends to the south of Rope Walk Lane, to the boundary with Beau Sejour Leisure Centre to the south. The strip of land between the boundary of the domestic curtilage and Rope Walk Lane and the land to the south of that lane do not form part of the recognised curtilage.

The domestic curtilage is bounded by domestic properties to the west and east, while the land to the south is bordered by similar undeveloped land.

The whole of Springwood House, together with the gate entrance, is protected. The adjacent dwelling to the west and the terrace of dwellings backing on to Rope Walk Lane to the east are also protected.

The whole of the application site and associated land is located within a Main Centre Outer Area and Conservation Area, whilst the land to the south of Rope Walk Lane is also designated as an Area of Important Open Land and Area of Biodiversity Importance in the Island Development Plan.

### **Relevant History:**

#### **Application site**

FULL/2013/3592 Erect two sheds to rear of property, to the north-east of Rope Walk Lane (retrospective) Approved 05/12/2013

FULL/2024/1256 Change of use of agricultural land to domestic garden (628sqm) (on a site of Protected Building). Refused 31/10/2024

#### **A109330000 Mount Pleasant**

No curtilage established, application report for FULL/2013/0659 (relating to the erection of a shed at that property) noted the land to the north-east of Rope Walk Lane appears to be residential, whilst the land to the south-west appears semi-natural.

### **Existing Use(s):**

Residential Use Class 1

Agricultural Use Class 28

### **Brief Description of Development:**

Retrospective permission is sought for the following:

- 6m x 2.5m x 2.5m(high) canvas structure erected over 7.3m x 3.15m base of paving slabs laid on mortar on upper of two terraced areas to the south of Ropewalk Lane;
- Laying of rubber matting across upper terrace area to provide access to canvas structure;
- Steps constructed of timber sleeper risers and sides, with mesh and aggregate infill located on east side of the terraced areas.

The structure is stated to be required for safe dry storage of equipment to be used for maintaining the land parcel, including safety equipment, harnesses, ladders, green waste collection receptacles, mulcher, etc.

### **Relevant Policies of any Plan, Subject Plan or Local Planning Brief:**

- MC1 Important Open Land in Main Centres and Main Centre Outer Areas
- GP1 Landscape Character and Open Land
- GP3 Areas of Biodiversity Importance
- GP4 Conservation Areas
- GP5 Protected Buildings

### **Representations:**

None received.

### **Consultations:**

None undertaken.

### **Summary of Issues:**

Principle of development and impact on Important Open Land;  
Impact on landscape character;  
Impact on the character of the Conservation Area;  
Impact on an Area of Biodiversity Importance.

### **Assessment against:**

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

Policy MC1 forms the gateway policy for development within areas identified as Important Open Land, and the policy text states that development is only permitted where the development would not have a significant adverse impact on the open character, visual quality or landscape character of the Important Open Land *and* where it relates to new outdoor formal recreation or informal leisure and recreation or it relates to the rebuilding, extension or alteration of existing buildings or structures (emphasis added). The pre-facing text to that policy, which carries equal weight, however states that new development will only be supported where there is no significant impact on the openness, visual quality or landscape character of the Important Open Land *or* where it relates to the development of outdoor formal recreation or informal leisure and recreation-related development, or works to existing development (emphasis added). It is clear throughout that the primary emphasis within these areas is ensuring there is no significant impact on the openness, visual quality or landscape character of these areas and, provided that is the case, it is considered that this policy could allow, in principle, for the erection of a structure and associated works such as now proposed.

The requirement contained within MC1 to avoid significant adverse impacts on the openness, visual quality and landscape character of an area, is also reflected in Policies GP1, which seeks to resist the unnecessary loss of open and undeveloped land which would have an unacceptable impact on the open landscape character of an area, and GP4, which seeks to conserve and enhance the special character of the Conservation Area, and requires consideration under Section 38 of the Land Planning and Development (Guernsey) Law, 2005.

The application site falls within the Upland Landscape Character type, as identified within Annex V Landscape Character in the Island Development Plan. The site is located on the northern escarpment, forming part of the swathe of wooded land extending to include the Beau Sejour Leisure Centre grounds to the north-west and Les Cotils grounds to the south-east, rising above the lower parishes to the north. This land forms a distinctive landscape feature and provides a soft backdrop to the development below, contributing to the character of the Conservation Area in both short and long views and resulting in its designation as Important Open Land. Rope Walk Lane forms a distinct and obvious definition between the developed lower sections of the escarpment and the wooded land above.

The structure and associated surfacing which forms the subject of this application are located towards the base of the wooded escarpment, on the upper of two terraced grassed areas to the south of and elevated above Rope Walk Lane, with the steps to access those terraces located to the east of the terraced areas. There has been some form of clearing in that location since the early 2000s. The lower terrace is open to views from Rope Walk Lane and the upper is screened by a line of small trees and bushes dividing the two terraces.

The steps which form the subject of the application are visible from Rope Walk Lane, however the upper level surfacing and structure are almost entirely screened from that lane. Under the previous application it was however stated that Rope Walk Lane is a private track and it appears to access only one further property after the application site. The lane would not therefore comprise a public place for the purposes of planning law.

The steps, surfacing and structure are otherwise entirely screened from outside of the site by the surrounding built form, topography and vegetation and have no adverse impacts on the special character of the wider Conservation Area, and would accord with Policy GP4 and the statutory duty set out under Section 38 of the Law.

The proposal would represent an incursion into the undeveloped land, projecting beyond the line of development defined by Ropewalk Lane, however taking into account the small scale, light weight and reversible nature of the development and the limited visibility, it is not considered that the proposal would have significant impact on the open land.

As noted above, the land to the south of Ropewalk Lane is also located within the Rope Walk Area of Biodiversity Importance (ABI), and Policy GP3 must also be considered. As initially submitted, the plans indicated the laying of matting across the width of the upper terrace, and there were concerns this could unnecessarily suppress understorey growth. Following deferral, the width of the matting has been reduced, sufficient to access the proposed store only. Taking into account the limited scale, reversibility and location of the proposed development as revised, and the level of usage likely to be associated with the development, it is considered,

on balance, that the proposal would not adversely impact the biodiversity interest of the area.

The proposals are set away from nearby residential properties and would have no adverse impact on the amenities of those properties.

The works which form the subject of this application are set away from the protected building at the application site, and others in the vicinity, and the proposal would not have any significant impact on the setting of those buildings, in accordance with Policy GP5 and the statutory duties in respect of protected buildings set out within Section 34 of the Law.

In light of the above, and on balance, the proposal accords with the purpose of the Law, material considerations and relevant planning policies. It is therefore recommended that the application be approved.

**Date: 14/11/2025**

