

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 (2,980sqm) and erect outbuildings (pool house, lawn mower store, gym and summer house) (retrospective).

LOCATION: The Nook, Claire Mare Lane, Rue De La Claire Mare, St. Pierre Du Bois.

APPLICANT: Mr J Dorey and Miss M Mortimer

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: 20/11/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/09/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Architecture: 24-1570 PD/01A, 02.

Application Ref: FULL/2025/1478

Property Ref: F002840000

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 landscaping scheme and biodiversity enhancements shall be fully completed in accordance with the details shown on the approved drawing reference 24-1570 PD/01 Rev A, by the end of the planting season following the grant of consent (by 31st March 2027). Thereafter the landscaping scheme and biodiversity enhancements shall be maintained and 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 appearance of the completed development is satisfactory, to help assimilate the development into its surroundings and to provide biodiversity enhancements in accordance with the Strategy for Nature SPG.

5.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.

Expiry Date: This permission will cease to have effect on 19/11/2028 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 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/2025/1478
Property Ref: F002840000
Valid date: 08/09/2025
Location: The Nook Claire Mare Lane Rue De La Claire Mare Rue De La Claire Mare St. Pierre Du Bois Guernsey GY7 9QA
Proposal: Change of use of agricultural land to domestic garden (2,980sqm) and erect outbuildings (pool house, lawn mower store, gym and summer house) (retrospective).
Applicant: Mr J Dorey and Miss M Mortimer

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.

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Reason - To make sure that the appearance of the completed development is satisfactory, to help assimilate the development into its surroundings and to provide biodiversity enhancements in accordance with the Strategy for Nature SPG.

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

OFFICER'S REPORT

Brief Description of the site:

The application site comprises an agricultural field situated to the east of the existing dwelling. The site is enclosed on all boundaries by a mixture of well established trees and hedging.

Surrounding the site, the area comprises agricultural fields to the north and east with residential properties to the south and west. The site is situated Outside of the Centres as designated in the Island Development Plan.

Relevant History:

PAPP/1996/2167	Change of use of land to domestic curtilage.	Refused 14/06/1996
PAPP/1996/0881	Erect a sunhouse	Refused 04/04/1996

Existing Use(s):

Residential - property and garden area;

Agricultural – land to the east the subject of this application.

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:

Island Development Plan Policies

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

GP1: Landscape Character and Open Land

GP8: Design

GP13: Householder Development

GP15: Creation and Extension of Curtilage

Conclusion/Brief comment:

Retrospective planning permission is sought to change the use of a parcel of agricultural land to domestic garden (circa 2980m²) and to retain various outbuildings comprising a pool house, lawn mower store, gym and summer house.

The extension to the domestic curtilage falls to be considered principally under Policies GP15 and GP1 of the Island Development Plan. The proposed outbuildings fall to be considered under Policies GP8, GP9 and GP13.

In respect of the change of use to domestic garden, the section of land in question is enclosed by residential development to the south and west and partially to the north. Although not situated within the Agriculture Priority Area (APA) the land is situated adjacent to APA land to the northeast and southeast. However the boundaries of the extended area of curtilage are clearly delineated with a mixture of mature trees and hedging along the full extent of the north, east and south boundaries ensuring that the site is not visible in public views and limiting the potential or practical use of this land for commercial agriculture.

The change of use would not have a significant impact on landscape character or openness, as the site is not considered to be prominent in the landscape setting, and no boundary features are to be removed. The proposed use of the land would be for domestic purposes, and, taking into account the proposed use and the relationship to surrounding residential properties, the proposal would have no adverse effects on neighbouring residents. The proposed change of use would therefore accord with Policies GP1 (Landscape character and open land) and GP15 (Creation and extension of curtilage).

Although the site is not located in an Area of Biodiversity Importance, in line with the States' Strategy for Nature, 2020, which has been adopted as Supplementary

Planning Guidance, the application must be accompanied by information demonstrating environmental benefits in respect of biodiversity that will be incorporated should planning permission be granted. The application was deferred to seek a revised landscaping/biodiversity enhancement scheme as the scheme submitted initially was not proportionate to the size of the land in question. The revised scheme shows enhancements proposed including additional tree and hedge planting, two areas totalling 400m² in area for the creation of wild flower meadows and mulching areas. The scheme submitted also proposed future management of the site to ensure that the biodiversity enhancements are maintained.

The planting proposed is native to Guernsey, is proportionate to the area of land in question and is consistent with current Guidance and will offer good opportunities for biodiversity enhancements. Subject to a condition ensuring that the planting is achieved in a timely manner (by the end of the first planting season following the grant of permission, 31st March 2027) the scheme accords with the aims of the Strategy for Nature.

With regards to the proposed outbuildings these are all at single storey and are all positioned sufficient distance from neighbouring residential properties to avoid an undue harm to amenity. Furthermore, given the existing boundary screening surrounding the site the outbuildings will not be visible from public vantage points and would not harm the visual character or landscape character of the surrounding area. The scheme complies with policies GP8 and GP13 in this respect.

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.

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: 19/11/2025