

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 (1,467sqm).

LOCATION: Land to the south and adjacent to Sarnian Lodge, Sarnian Vineries,
Rue Du Pont Vaillant, St. Peter Port.

APPLICANT: Mr & Mrs I J & S W Bisson

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: 17/11/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 25/09/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Environmental Impact plan, Block Plan & Biodiversity Letter

Application Ref: FULL/2025/1483

Property Ref: A20940B000

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.Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2023 (or any other Ordinance replacing or re-enacting that Ordinance), no gate, fence or wall shall be erected, constructed or placed on any part of the site.

Reason - In view of the sensitive nature of the site, the erection of such structures as 'exempt development' may have an adverse visual impact. This condition is imposed to make sure that any proposals can be properly considered.

5.(a) Full details of the native hedges to be planted along the south and east boundaries of the site (as shown on the Environmental Impact Plan) including the species, size and density of plants at the time of planting, shall be submitted to and approved in writing by the Authority.

(b) The hedges shall be planted, in accordance with the details approved under (a) above in the first planting season following the grant of this permission or by 31/03/2027. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the biodiversity enhancements are planted in a timely manner in accordance with the Strategy for Nature SPG.

6.If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until a method statement has been submitted to the Authority to identify, risk assess, and address the unidentified contamination, and written agreement has been received 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 is free from contamination, in the interests of

public health and safety.

Expiry Date: This permission will cease to have effect on 16/11/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of any doubt no permission is hereby granted for the creation of the pond as shown on the Environmental Impact Drawing. This may require the submission of a further planning application and details would need to be provided for confirmation. Please also take note of the comments received on this application from the Office Of Environmental Health and Pollution Regulation should you propose to create a pond in the future.

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/2025/1483
Property Ref: A20940B000
Valid date: 25/09/2025
Location: Land to the south and adjacent to Sarnian Lodge
Sarnian Vineries Rue Du Pont Vaillant Rue Du Pont Vaillant
St. Peter Port Guernsey GY1 2UQ
Proposal: Change of use of agricultural land to domestic garden
(1,467sqm).
Applicant: Mr & Mrs I J & S W Bisson

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. Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2023 (or any other Ordinance replacing or re-enacting that Ordinance), no gate, fence or wall shall be erected, constructed or placed on any part of the site.

Reason - In view of the sensitive nature of the site, the erection of such structures as 'exempt development' may have an adverse visual impact. This condition is imposed to make sure that any proposals can be properly considered.

5. (a) Full details of the native hedges to be planted along the south and east boundaries of the site (as shown on the Environmental Impact Plan) including the species, size and density of plants at the time of planting, shall be submitted to and approved in writing by the Authority.

(b) The hedges shall be planted, in accordance with the details approved under (a) above in the first planting season following the grant of this permission or by 31/03/2027. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the biodiversity enhancements are planted in a timely manner in accordance with the Strategy for Nature SPG.

6. If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until a method statement has been submitted to the Authority to identify, risk assess, and address the unidentified contamination, and written agreement has been received 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 is free from contamination, in the interests of public health and safety.

INFORMATIVES

For the avoidance of any doubt no permission is hereby granted for the creation of the pond as shown on the Environmental Impact Drawing. This may require the submission of a further planning application and details would need to be provided for confirmation. Please also take note of the comments received on this application from the Office Of Environmental Health and Pollution Regulation should you propose to create a pond in the future.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a parcel of agricultural land situated to the south of the residential property known as Sarnia Lodge. The site is owned and is used by the owner of Sarnia Lodge. The site is accessed to the west via a gravel track which also provides vehicle access to Sarnia Lodge.

Surrounding the site, the area comprises an industrial property to the west, residential properties to the north and a redundant vinery site to the south and east.

The site is situated Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan

Relevant History:

The application has been the subject of pre-application discussions.

Existing Use(s):

Residential – Property and garden area (as shown edged in blue on the planning application drawings);

Agricultural – remaining land (as shown edged in red on the planning application drawings)

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(A): Agriculture Outside of the Centres – within the Agriculture Priority Areas

GP1: Landscape Character and Open Land

GP15: Creation and Extension of Curtilage

Consultations:

Office of Environmental Health and Pollution Regulation

By letter dated 20th October 2025 stated the following:

"I have reviewed the proposed plans for the change of use of agricultural land to domestic garden at the above site.

I am concerned about the potential for contaminated land at this site due to its former use as a growing site and the historic presence of several glasshouses. In addition I note that the cover letter references soil contamination with glass fragments and Glyphosate.

The Site and Block Plan includes a 'possible pond' which is stated to be applied for under a separate application. Whilst not part of this planning application, I would like the applicant to be aware that I have concerns over these future plans. The excavation of the pond and introduction of standing water can create new potential pathways for contaminants to migrate through soil and groundwater. Should future applications be received for this site which include the breaking of ground, I would be likely to recommend a full phased contaminated land condition for the site.

Due to the limited nature of the current proposals, I do not feel that it is appropriate to recommend the full contaminated land condition. However as there remains the potential for contamination due to the former uses, should the applicant intend to grow consumables on this land, I recommend that they consider the potential for contamination and the associated risks. I would also recommend that the following condition is attached to any consent granted for this application:

- 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.*

I would be grateful if these issues are considered during the determination of this application."

Conclusion/Brief comment:

The IDP recognises that agriculture plays a relatively small part in Guernsey's economy but is valuable for its land management function protecting and enhancing the countryside and providing visual access to open space.

The Strategic Land Use Plan requires a balance to be made between the protection of land for agriculture for the industry's current and future needs and recognising the role it plays in countryside management with ensuring land is available to meet other legitimate development requirements. The Island Development Plan has

therefore identified large areas of contiguous agricultural land, and other areas well related to established agricultural operations, which represent Guernsey's most valuable agricultural land. These have been identified as Agriculture Priority Areas (APA). The Agriculture Priority Areas are not intended to safeguard the land for agricultural use if it is not appropriate or is not required for that use or where the inclusion of an area of land into a larger land parcel for agricultural purposes would have a negative environmental impact. Policy OC5(A) makes provision therefore, for other forms of development within the APA provided that they accord with all the other relevant policies of the Island Development Plan.

The area of land is well associated with the existing dwelling to the north, Sarnia Lodge. All the boundaries of the site are clearly defined with a mixture of large trees, shrubs and hedging and there is no separate or independent access to the land other than that serving the main dwelling. The surrounding land is in separate ownership to Sarnia Lodge and the agricultural land that is the subject of this application. The application does not require any established boundary features to be removed in connection with the change of use of the land and the land is not identified as being situated within an Area of Biodiversity Importance.

The Island Development Plan recognises there is a balance between protecting open and agricultural land and other legitimate uses Outside of the Centres. The designation of the Agriculture Priority Area represents the Island's most valuable agricultural area. However, in this instance a large part of the site contains trees and planting and shrubbery and part of the site (the western aspect) is contaminated with Japanese Knotweed which since the applicant purchased the site has been treated and continues to be treated by professionals on a yearly basis with Glyphosate weed killer. This together with the area of the site that is planted with trees and shrubbery would allow for only a relatively small part of the site (circa 540m²) to be useable for agricultural purpose. It is considered therefore that for these reasons the land cannot positively contribute to the APA and the proposed change of use would not undermine the commercial function of the APA and is supported by Policy OC5(A).

With regard to the impact on neighbouring properties, the proposal involves a change of use of an area of land to be included and managed as part of the residential curtilage and given the location of the land in relation to neighbouring residential properties and that only an industrial building is situated to the east, the proposed change of use would not of itself have an adverse impact on or affect their amenities.

It is considered that the change of use would accord with Policy GP15 a)- e) and provided that the proposal accords with all other relevant policies of the IDP, the principle of change of use to domestic curtilage is considered to be acceptable in this particular location.

Given the established site boundaries and the existing planting within the site and the additional planting proposed, the proposal would not undermine the wider

landscape character or the openness of the area in accordance with Policy GP1. However, the site and the surrounding area is rural in character with either trees, hedging or shrubbery along the site boundaries. The erection of fences or walls in this location would introduce urban features which could have a negative impact on this rural character. It is therefore recommended that householder exemption rights relating to the erection of fences or walls along the site boundaries are removed by condition in this instance.

In line with the States' Strategy for Nature, 2020, which has been adopted as Supplementary Planning Guidance, the Development and Planning Authority has directed that from 01 September 2021 all applications involving the change of use of agricultural land to domestic garden must be accompanied by information demonstrating environmental benefits in respect of biodiversity that will be incorporated should planning permission be granted. The application has been accompanied by a written Biodiversity Statement confirming that, within the site they have no mow areas, a compost heap, log piles, a hedgehog run, that they participate in no mow May, that the hedges and trees are only trimmed outside of the bird breeding season. In addition, confirmation has been provided together with a plan to show that an additional 80m of native hedge will be planted along the east and south boundaries. It is also noted that there are numerous mature trees on site that are not indicated to be removed and which are highlighted in the submission as offering food/habitat for wildlife.

The landscaping works proposed can be conditioned to be completed by the end of the first planting season which follows the grant of permission. In this case given that we are already in the 2025/2026 planting season it would be unreasonable to insist that all planting is achieved by 31st March 2026 (end of this planting season) and a condition should be imposed to allow until 31st March 2027 for all planting to be planted. This will ensure that the biodiversity enhancements approved as part of the application are carried out within a reasonable amount of time.

The application drawings also show the future intentions of the applicant to create a small pond towards the east boundary of the site. Planning permission may be required for the pond and as no details of this has been provided nor was it included in the description of development, this has not formed part of the assessment of this application. It is recommended that an informative be included on any permission to advise that no permission is granted for the creation of a pond.

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: 12/11/2025