

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: Install 2 air source heat pumps and garden store/enclosure to west elevation of raised swimming pool area/boundary.

LOCATION: L'Etoile Du Matin, Rue Du Dos D`Ane, Castel.

APPLICANT: Mr R & Mrs L Marino

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: 13/01/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 25/11/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: SOUP Architects Ltd: 503_GP-100, 300

Application Ref: FULL/2025/1765

Property Ref: D003550000

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.

Expiry Date: This permission will cease to have effect on 12/01/2029 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/2025/1765
Property Ref: D003550000
Valid date: 25/11/2025
Location: L'Etoile Du Matin Rue Du Dos D`Ane Castel Guernsey GY5 7LD
Proposal: Install 2 air source heat pumps and garden store/enclosure to west elevation of raised swimming pool area/boundary.

Applicant: Mr R & Mrs L Marino

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 - 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.

OFFICER'S REPORT

Brief Description of the site:

The property comprises a detached dwelling house, known as L'Etoile Du Matin, located on a corner plot between Ruelle Julienne and Rue du Dos D'Ane.

The Rue du Dos D'Ane runs along the south boundary at the site, at a higher level than the application site, and the land slopes steeply away towards the north. The Ruelle Julienne runs along the east boundary of the site, sloping away from the main road.

The property is located within an Agriculture Priority Area and is Outside of the Centres as defined in the Island Development Plan.

Planning permission is sought to install 2 air source heat pumps and garden store to the west elevation of raised swimming pool area/spa, adjacent to the north-west boundary.

Relevant History:

Reference No	Description	Decision	Date
FULL/2025/1192	Erect single storey extension to west (rear) elevation.	Granted	2025
FULL/2025/0924	Change of use of agricultural land to domestic garden (125sqm). Remove section of hedge and erect earth bank to north west boundary.	Refusal	2025
FULL/2025/0527	Remove section of wall and hedge to create temporary vehicle access to south boundary.	Granted	2025
FULL/2024/1849	Install raised swimming pool/spa with balustrade to north-west boundary, alter ground levels and erect retaining wall to new patio area to west of property. Remove and replace boundary hedge to east boundary of agricultural land.	Granted	2025
FULL/2022/0669	Change of use of agricultural land to domestic garden (1,048 sq.m.), remove section of hedge and erect earth bank to north-west.	Refusal	2022

Existing Use(s):

Residential

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:

GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Consultation – The Office of Environmental Health and Pollution Regulation

I have reviewed the proposed plans to install two X20-26 INVERTX20 Turbo Silence air source heat pumps and garden store/enclosure to west elevation of raised swimming pool area/boundary at L'Etoile Du Matin which were received by email on 25th November 2025 and there are no issues of concern I wish to raise.

Conclusion/Brief comment:

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.

The ASHPs will be sited adjacent to the north boundary and west of the approved swimming pool/spa. Due to the change in ground levels, the ASHPs and garden store will be set on a concrete base, below the top of the concrete walls forming part of the pool/spa and therefore will not be highly visible from public vantage points, if at all. The approved landscaping details as part of application FULL/2024/1849 will also help to screen the development.

Consequently, the proposal will not have an adverse effect on the character or visual amenity of the locality.

The ASHPs will be approximately 35m from the nearest neighbouring dwelling-house to the north. Based on Environmental Health's comments, the proposal is unlikely to have a significant adverse effect on the amenities of neighbouring residents.

With regard to the criterion of Policy GP9 (Sustainable Development), the proposed development will comply with Building (Guernsey) Regulations 2012, and therefore has taken into account the use of energy, resources and environmental considerations.

On this basis, the application is compliant with the relevant Island Development Plan policies, it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 12/01/26

