

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: Demolish building, erect dwelling, install air source heat pump to north elevation and associated works (revised scheme).

LOCATION: Maygrove, La Rochelle Road, La Moye, Vale.

APPLICANT: Mr & Mrs M De La Rue

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: 12/01/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/12/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTech Freelance Architecture: MDLR-25-2261-02F & -03E.
Aerona 290 Heat Pump information sheets.
Waste Management Plan

Application Ref: FULL/2025/1786

Property Ref: C00236A000 + C002370000

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 permeable hard surfacing shall not be constructed until full details of that surfacing, including a written specification for its laying, have been submitted to and agreed in writing by the Authority. Thereafter the development shall not be occupied until the permeable hard surfacing has been laid in accordance with the approved details.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9 and GP16B.

5. The dwelling hereby permitted shall not be occupied until full details of the photovoltaic panels and EV charge points have been provided and those panels/charge points have been installed and made operational.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9 and GP16B

6. The dwelling hereby permitted shall not be occupied until the agreed Air Source Heat Pump has been installed and made operational.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9 and GP16B.

7. The dwellings hereby permitted shall not be used or occupied until the agreed scheme for bin/cycle storage has been fully implemented. The provision for bin/cycles

shall be retained at all times.

Reason - To encourage the use of bicycles as an alternative to the car.

8. Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014+A1:2019.

Reason: To prevent noise disturbance, the interest of neighbour amenity.

9. Potential Land Contamination:

Please note this is one condition with multiple sub-sections:

(i) No development shall commence on site (including demolition and site works) until there has been submitted to and approved in writing by the Authority:

(a) A desktop study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Land Contamination Risk Management (LCRM) and BS10175:2001+A2:2017 - Investigation of Potentially Contaminated Sites - Code of Practice;

and unless otherwise agreed in writing by the Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;

and, unless otherwise agreed in writing by the Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) If determined to be required the development hereby permitted shall not be occupied or brought into use until there has been submitted to the Authority verification by a competent person approved under the provisions of subsection (i)(c) of this condition that any remediation scheme required and approved under the provisions of subsection (i)(c) of this condition has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Authority in advance of implementation). Unless otherwise agreed in writing by the Authority such verification shall comprise:

- a. as built drawings of the implemented scheme;
- b. photographs of the remediation works in progress;
- c. certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under subsection (i)(c) of this condition.

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

10. 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.

11. The development hereby permitted shall be carried out in accordance with the Site Waste Management Plan submitted as part of this application, and no part of the development shall be occupied or brought into use until there has been submitted to the Authority a report providing verification that the development has been carried out fully in accordance with the agreed Site Waste Management Plan. Where there has been any variation from the Site Waste Management Plan as originally submitted, the report shall highlight and detail the reasons for this.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

Expiry Date: This permission will cease to have effect on 11/01/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

With reference to condition 9 a desktop study shall be the very minimum standard accepted. Pending the results of the desktop study, the applicant may have to satisfy the requirements of criteria (b) and (c) of that condition, however, this will all be

confirmed in writing.

The phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy.

The site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

It is strongly recommended that in submitting details in accordance with the above condition that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.

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/2025/1786
Property Ref: C00236A000 + C002370000
Valid date: 15/12/2025
Location: Maygrove La Rochelle Road La Moye La Moye Vale Guernsey
GY3 5DW
Proposal: Demolish building, erect dwelling, install air source heat pump
to north elevation and associated works (revised scheme).

Applicant: Mr & Mrs M De La Rue

RECOMMENDATION - Grant: Planning Permission with Conditions:

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surfacing, including a written specification for its laying, have been submitted to and agreed in writing by the Authority. Thereafter the development shall not be occupied until the permeable hard surfacing has been laid in accordance with the approved details.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9 and GP16B.

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Reason - To encourage the use of bicycles as an alternative to the car.

8. Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014+A1:2019.

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adjacent land in accordance with national guidance as set out in Land Contamination Risk Management (LCRM) and BS10175:2001+A2:2017 - Investigation of Potentially Contaminated Sites - Code of Practice;

and unless otherwise agreed in writing by the Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;

and, unless otherwise agreed in writing by the Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) If determined to be required the development hereby permitted shall not be occupied or brought into use until there has been submitted to the Authority verification by a competent person approved under the provisions of subsection (i)(c) of this condition that any remediation scheme required and approved under the provisions of subsection (i)(c) of this condition has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Authority in advance of implementation). Unless otherwise agreed in writing by the Authority such verification shall comprise:

- a. as built drawings of the implemented scheme;
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- c. certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under subsection (i)(c) of this condition.

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

10. 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.

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Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

INFORMATIVES

With reference to condition 9 a desktop study shall be the very minimum standard accepted. Pending the results of the desktop study, the applicant may have to satisfy the requirements of criteria (b) and (c) of that condition, however, this will all be confirmed in writing.

The phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy.

The site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

It is strongly recommended that in submitting details in accordance with the above condition that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.

OFFICER'S REPORT

Brief Description of the site:

The application site is located Outside of the Centres and within a Conservation Area as defined in the Island Development Plan (IDP).

The application site is located to the rear of the dwelling-house known as 'Maygrove' and includes a single storey non-domestic building. Consent was granted in 2023 for the conversion of that building to a separate dwelling house (FULL/2023/0845).

Applications FULL/2024/1864 and FULL/2025/0887 proposed the demolition of the dwelling and erection of a replacement dwelling and were refused due to the failure to comply with the requirements of Policies GP16(B) and GP8.

Relevant History:

FULL/2025/1864- Demolish dwelling, erect replacement dwelling and associated works- refused.

FULL/2024/1864- Demolish dwelling, erect replacement dwelling and associated works- refused.

FULL/2023/0845- Convert outbuilding to residential dwelling with associated landscaping and parking – granted.

FULL/2021/0296 - Change of use of agricultural land to domestic garden (3,650sqm)- granted.

Existing Use(s):

01 Dwelling houses

Consultations:

The Office of Environmental Health and Pollution Regulation provided the following comments:

I have reviewed the proposed plans to demolish a building, erect dwelling, install air source heat pump to north elevation and associated works (revised scheme) at Maygrove which were received by email on 16th December 2025 and there are a number of issues of concern that I must raise.

I have completed noise calculation for the proposed Areono 290 HPR29065 ASHP, I believe in its current proposed location it will be able to comply with the below noise condition and recommend the Planning Authority apply it to any permission granted.

I have also reviewed the historic maps and records, these indicate there were greenhouses on the site, I therefore have concerns for land contamination from pesticides, asbestos and heavy metals, specifically but not limited to lead. Records also indicate tanks on the site and that the greenhouses were heated. As such land contamination from hydrocarbons is also possible. I recommend the Planning Authority apply a full contaminated land condition to the site.

Control of noise level of plant/machinery

- *Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing*

background noise levels shall be determined as per the guidance provided in BS 4142:2014+A1:2019.

Potential Land Contamination:

Please note this is one condition with multiple sub-sections:

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and, unless otherwise agreed in writing by the Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) If determined to be required the development hereby permitted shall not be occupied or brought into use until there has been submitted to the Authority verification by a competent person approved under the provisions of subsection (i)(c) of this condition that any remediation scheme required and approved under the provisions of subsection (i)(c) of this condition has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Authority in advance of implementation). Unless otherwise agreed in writing by the Authority such verification shall comprise:

- a. as built drawings of the implemented scheme;*
- b. photographs of the remediation works in progress;*
- c. certificates demonstrating that imported and/or material left in situ is free from contamination.*

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under subsection (i)(c) of this condition.

Informatives/Advice Notes

*With reference to condition **XX** a desktop study shall be the very minimum standard accepted. Pending the results of the desktop study, the applicant may have to satisfy the requirements of criteria (b) and (c) of that condition, however, this will all be confirmed in writing.*

The phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy.

The site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

It is strongly recommended that in submitting details in accordance with the above condition that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.

Discovery Strategy

- 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.*

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:

GP1: Landscape Character

GP4: Conservation Area

GP8: Design

GP9: Sustainable Development

GP16(A): Conversion of Redundant Buildings

GP16(B): Conversion of Redundant Buildings - Demolition and Redevelopment

OC1: Housing Outside the Centre

Conclusion/Brief comment:

The proposed dwelling is 2 storeys with a pitched roof and two gable ends, with a small flat roof rear (north) extension. The design includes open plan living, kitchen and dining room at first floor and 2 x double bedrooms, each with ensuite, and a utility at ground floor. The design incorporates a first-floor balcony across the southern elevation. An air source heat pump is proposed to the north elevation.

As planning permission has previously been granted for the conversion of a redundant building to the rear of Maygrove, Policies OC1, OC3 and GP16(A) have been satisfied, and the scheme must now be considered with regard to Policy GP16(B) and other relevant policies of the Island Development Plan.

Criterion a. of Policy GP16(B) has been met as the conversion received planning permission under FULL/2023/0845. When considering applications in relation to Policy GP16(B) the development should be of broadly the same floorspace and volume as the approved conversion scheme. Although no specified figure has been included in the IDP in relation to what constitutes broadly the same the Planning Service has consistently adopted a figure of up to 20% increase for schemes such as this, (unless there are significant environmental benefits in allowing a slight increase beyond this) and as such this has become a legitimate expectation of applicants and agents applying for developments under Policy GP16(B) of the IDP. The approved conversion scheme had a floor area of approx. 120sqm and a volume of 440m³ whilst the proposed redevelopment scheme proposes a floor area of 128 sqm and a volume of 487m³. This represents a c. 10% increase in volume which would be acceptable in policy terms and complies with criteria b.

The existing building does not make a particularly positive contribution to the character of the area, and so criteria c is not relevant.

The submission sets out sustainability measures that will be incorporated into the development and how the scheme will meet or exceed the Building (Guernsey) Regulations for energy efficiency and thermal upgrading, with SUDs indicated for hard surfaced areas. The scheme is considered satisfactory in relation to the requirements of Policy GP9 alone however, Policy GP16(B) requires a scheme to incorporate substantial enhancements in terms of sustainable design, and the provision of solar panels, EV charge points and an ASHP achieve this uplift.

The scheme proposes to reposition the dwelling on the site from being tight to the eastern boundary, facing west, to within the area which was previously agricultural land, prior to the 2021 application. This previous agricultural land extends from the rear of the original garden area, up to a designated Area of Biodiversity Importance at Blanche Carriere to the rear. This parcel of land is surrounded by other areas of open land to either side, none of which appear to be lawfully used as domestic gardens.

The proposal is to extend the existing access, creating a car parking area and relocating the dwelling to within the north-eastern corner of the site, facing south.

The proposal has been positioned further north than previously proposed, level with the neighbouring outbuildings and no longer extends significantly into the open land.

As submitted the scheme demonstrates that it would meet the Building Regulations and provides significant enhancements to sustainable design to justify the relocation and orientation of the building on the site, as required by Policy GP16(B) criteria d.

The revised location of the proposed dwelling would push built development further south, away from the ribbon development and Conservation Area along La Moye Road which is generally characterised by frontage, roadside residential development. There are a small number of dwellings which extend to the south, in Rainbow Clos to the west, however these are small flat roof dwellings, which are not considered characteristic of the area or a desirable form of development to replicate.

This revised location would not have greater impact on the open landscape and is no longer considered an undesirable form of backland development in this rural environment. The proposal is not considered to result in an unacceptable adverse impact on the landscape character and openness of the area, and is therefore acceptable in relation to Policy GP16(B) criterion e.

Internal space standards are generally good, and the impact on neighbours is considered acceptable as a result of the positioning of the dwelling within the undeveloped rear garden where any impact on neighbours is minimal. The proposed dwelling achieves a good standard of design, using appropriate materials, although the north elevation on the approach to the dwelling is largely blank, particularly at first floor, along with the east elevation, which has minimal fenestration only. On balance, the design is acceptable, and meets the requirements of Policy GP8 and the impact on neighbours are acceptable under criteria f of GP16(B).

Environmental Health have assessed the proposed ASHP and considered that it will be acceptable in this location, subject to an appropriate condition. They have also assessed the potential for land contamination of the site and requested conditions to deal with this.

A basic Site Waste Management Plan has been provided.

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: 12/01/2026

