

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 (2,200sqm).

LOCATION: Tra Mor, Route De Plaisance, St. Pierre Du Bois.

APPLICANT: Mr & Mrs C Osborough

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: 03/07/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/11/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Paul Vaudin & Associates Ltd: 25-029-01, Biodiveristy Statement June 2026

Application Ref: FULL/2025/1827

Property Ref: F000110000

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 submitted landscaping and biodiversity enhancement scheme shall be fully completed, in accordance with the details contained in the Environment Guernsey Biodiversity Statement June 2026, by 31st March 2027, or in accordance with a programme previously agreed in writing by the Authority. Any trees 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. The grassland habitats shall be protected, retained and maintained as stated, for a minimum period of 5 years.

Reason - To help assimilate the development into its surroundings, in the interests of residential amenity and to provide biodiversity enhancements in line with the Strategy for Nature SPG.

5. 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.

Expiry Date: This permission will cease to have effect on 02/07/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

With reference to condition 4, 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>

For the avoidance of doubt, as set out above, the change of use of land hereby approved relates to the use of the land only, and does not regularise any unauthorised physical development such as sheds that do not meet the householder exemption criteria for that development as set out in The Land Planning and Development (Exemptions) Ordinance, as amended in 2025 or any future re-enactments of that Ordinance.

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/2025/1827
Property Ref: F000110000
Valid date: 20/11/2025
Location: Tra Mor Route De Plaisance St. Pierre Du Bois Guernsey
GY7 9AA
Proposal: Change of use of agricultural land to domestic garden
(2,200sqm).

Applicant: Mr & Mrs C Osborough

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. The submitted landscaping and biodiversity enhancement scheme shall be fully completed, in accordance with the details contained in the Environment Guernsey

Biodiversity Statement June 2026, by 31st March 2027, or in accordance with a programme previously agreed in writing by the Authority. Any trees 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. The grassland habitats shall be protected, retained and maintained as stated, for a minimum period of 5 years.

Reason - To help assimilate the development into its surroundings, in the interests of residential amenity and to provide biodiversity enhancements in line with the Strategy for Nature SPG.

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

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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.

INFORMATIVES

With reference to condition 4, 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>

For the avoidance of doubt, as set out above, the change of use of land hereby approved relates to the use of the land only, and does not regularise any unauthorised physical development such as sheds that do not meet the householder exemption criteria for that development as set out in The Land Planning and Development (Exemptions) Ordinance, as amended in 2025 or any future re-enactments of that Ordinance.

OFFICER'S REPORT

Brief Description of the site:

The site is located Outside the Centre as designated by the Island Development Plan (IDP) and is relatively long and narrow, occupied by a large, two storey detached dwelling situated towards the front of the site, with vehicular access onto Route de Plaisance and parking located at the front and rear of the dwelling. There are a number of outbuildings to the rear of the dwelling.

Relevant History:

FULL/2023/0040- Extend and alter at ground floor and 1st floor level and install rooflight to south (rear) elevation and install external insulating render.

Existing Use(s):

28- Agricultural

Assessment: *(Tick as appropriate)*

no representation	☐	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☐	traffic not affected	☒
design acceptable	☒		

Neighbour Representations:

Two letters of representation have been received regarding the application and have been summarised below:

- Insufficient biodiversity information provided
- No biodiversity enhancements proposed

Consultee Comments:

The Office for Environmental Health and Pollution Regulation:

I have reviewed the proposed plans for “Change of use of agricultural land to domestic garden (2,200sqm)” at Tra Mor which were received by email on 2nd December 2025 and there are a number of issues of concern that I must raise. From reviewing the historic records there have been a number of greenhouses on the land parcel, the records also indicate these greenhouses were heated. As such I would have concerns for land contamination from hydrocarbons and pesticides used by the industry. I would also be concerned for heavy metals, specifically but not limited to lead. Further to this, asbestos boards were typically used around the permitted of greenhouses. I recommend the Planning Authority apply a full contaminated land condition to any permission granted.

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:

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(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;

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- 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.

Policies considered most relevant:

GP8- Design

GP9- Sustainable development

GP15- Extension of curtilage

Conclusion/Brief comment:

Planning permission is sought to change the use of agricultural land to the rear (south west) to form part of the domestic garden for the property Tra Mor. The application was deferred twice to seek additional biodiversity enhancement information.

The proposal falls to be considered principally under Policies GP15 and GP1 of the Island Development Plan.

The area of land is not located within an Agriculture Priority Area and is situated between frontage residential development on Route de Plaisance to the north east and the existing agricultural buildings to the south west. The outer boundaries of the site are clearly defined, 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. In this instance, given that the land is outside of the Agriculture Priority Area, the balance would not be towards protecting this land for agricultural purposes.

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, with the existing and proposed boundary screening to separate the land from the neighbouring properties, the proposed change of use should 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.

Policy GP1: Landscape Character and Open Land seeks to ensure that proposals do not result in the unacceptable loss of distinctive features that contribute to the wider landscape character and the local distinctiveness of the area.

Although the site is undeveloped, given its setting, with established site boundaries, and adjacent development, the proposed change of use and management of the land as domestic garden would not undermine the wider landscape character or the openness of the area.

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. This should relate to biodiversity benefits within the proposed area of domestic garden.

The submitted Biodiversity Statement shows enhancements proposed including:

- a circa 18 linear metre earthbank to run across the site between the parking area and new garden;
- A retained grassland habitat with management regime;
- Restored wildlife pond;
- Planting of 6-8 new fruit trees near the north-east boundary;
- Creation of taller grassland habitat with management regime;
- Installation of at least 3 nestboxes to trees around pond area.

The Biodiversity Statement considers that these measures would lead to ecological gain across the site, and would improve over time provided appropriate

management continued, and suitable planning conditions should ensure this is achieved and so the scheme accords with the aims of the Strategy for Nature.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

In view of the above and subject to the suggested conditions and informatives, it is recommended that planning permission is granted for the proposed development

Recommendation:

Grant with Conditions



Date: 02/07/2026

