

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 glasshouse, erect single storey outbuilding to west boundary.

LOCATION: L'Etelle du Nord, Braye Du Valle, St. Sampson.

APPLICANT: Mr & Mrs A Dowinton

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: 16/01/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/12/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 6481/B/1.

Application Ref: FULL/2025/1880

Property Ref: B01066H000

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. 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 15/01/2029 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>.

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/2025/1880
Property Ref: B01066H000
Valid date: 08/12/2025
Location: L'Etelle du Nord Braye Du Valle St. Sampson Guernsey
GY2 4RB
Proposal: Demolish glasshouse, erect single storey outbuilding to west boundary.

Applicant: Mr & Mrs A Dowinton

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).

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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.

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OFFICER'S REPORT

Brief Description of the site:

L'Etelle du Nord, Braye Du Valle is a detached bungalow with render exterior and pitched, tiled roof. A hipped roof extension, flat roof extension and conservatory exist to the rear of the property. Fencing and hedging exist to the east and west boundaries with the neighbouring dwellings. A hedge and fence, with pathway/access gaps current exist between the recognised extent of domestic garden and the agricultural land beyond, to the north of the site. A painted render, flat roof shed is situated adjacent to the west site boundary, a timber shed is situated to the east of this and to the immediate north is a glasshouse which, internally, is partially paved and appears to be used for a mixture of storage associated with land management, potting shed and a small element of growing.

The site is located Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan. The dwelling to the immediate west falls outside the APA but APA land extends to the north, east and south of the site.

Relevant History:

The dwelling and a glasshouse to the north were constructed between 1938 and 1963. By 1996 the glasshouse had been reduced in size, with the southern portion removed. By 2001 a further section of glass had been removed and the western outbuilding may be present based on the aerial photograph. The situation remained

largely unchanged until 2019 when the timber shed is present in the aerial photographs.

FULL/2024/1685 – Change of use of agricultural land to domestic garden (333sqm) (retrospective) – granted subject to a condition requiring details of hedge planting to be provided by 31/12/2025 and implemented by 31/03/2026

Existing Use(s):

01 dwellinghouse
28 agriculture

Assessment: *(Tick as appropriate)*

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

Policies considered most relevant:

Island Development Plan policies:

GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Consultation:

Office of Environmental Health and Pollution Regulation – there are a number of issues of concern that I must raise. There have been other larger historic greenhouse on the site detailed on 1963 and 1997 historic maps. As such I have concerns for land contamination from this use such as contamination by heavy metals, specifically but not limited to lead, and also pesticides. I recommend the Planning Authority apply a full contaminated land condition to any permission granted.

Conclusion/Brief comment:

Although the landscaping associated with the change of use of land has not yet been fully resolved or implemented, as the 2024 change of use application was retrospective this does not impact on the current proposals to construct a replacement outbuilding on the land. The breach of condition relating to landscaping is being considered and managed entirely separately from this current application.

The existing glasshouse is a lightweight glazed structure and its removal is acceptable. The replacement outbuilding has been designed with a flat roof in order

to reduce its wider visual impact and impact on adjoining neighbours with a render exterior which reflects that of the main house. The scheme represents a good standard of design that respects the local built and open environments and which will not result in unacceptable overshadowing or overlooking to the occupiers of adjoining dwellings.

The comments and concerns raised by Environmental Health are noted and given that the existing structure is to be removed and replaced, with the associated ground works and disturbance of ground it is reasonable to impose the contaminated land condition recommended.

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.

In view of the above it is recommended permission is granted.

Recommendation:

Grant with Conditions



Date: 16/01/2026

