

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: Convert and extend building to create dwelling, change of use of agricultural land to domestic garden (396sqm) and associated works.

LOCATION: Burnard Vinery, Route Des Long Camps, St. Sampson.

APPLICANT: Mr M Watt

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: 13/02/2026

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: PF+A Ltd: 7910-01 B1A, B2, B3 & B4

Application Ref: FULL/2025/1926

Property Ref: B01382A008

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.Within 3 months of the commencement of the development, revised details of the planting schedules of the native hedge along the west and south boundaries, noting the species, sizes, numbers and densities of plants, shall be submitted to and agreed in writing by the Authority.

Reason - In the interests of visual amenity and biodiversity.

5.The landscaping scheme shall be fully completed/implemented in accordance with drawing 7910-01/B4 and as revised and updated by the details agreed under the terms of the above condition 4, in the first planting season following the first occupation of the hereby approved dwelling or completion of the development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants 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.

Reason - In the interests of visual amenity and biodiversity.

6.If, during any development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until the applicant has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

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

7. Within 3 months of the commencement of the development, a scheme for the treatment of the east boundary of the application site shall be submitted to and agreed in writing by the Authority. No use or occupation of the building hereby permitted shall begin until the agreed scheme for the east boundary treatment has been fully completed.

Reason - To protect the reasonable amenities of neighbouring residents and the future occupiers of the site.

Expiry Date: This permission will cease to have effect on 12/02/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

There is potential for contamination on this land due to its former use as a growing site and the historic presence of glasshouses. Should the applicant intend to grow consumables on this land, they are advised to consider the potential for contamination and the associated risks.

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/2025/1926
Property Ref: B01382A008
Valid date: 15/12/2025
Location: Burnard Vinery Route Des Long Camps St. Sampson Guernsey GY2 4UQ
Proposal: Convert and extend building to create dwelling, change of use of agricultural land to domestic garden (396sqm) and associated works.
Applicant: Mr M Watt

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. Within 3 months of the commencement of the development, revised details of the planting schedules of the native hedge along the west and south boundaries, noting the species, sizes, numbers and densities of plants, shall be submitted to and agreed in writing by the Authority.

Reason - In the interests of visual amenity and biodiversity.

5. The landscaping scheme shall be fully completed/implemented in accordance with drawing 7910-01/B4 and as revised and updated by the details agreed under the terms of the above condition 4, in the first planting season following the first occupation of the hereby approved dwelling or completion of the development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants 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.

Reason - In the interests of visual amenity and biodiversity.

6. If, during any development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until the applicant has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

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

7. Within 3 months of the commencement of the development, a scheme for the treatment of the east boundary of the application site shall be submitted to and agreed in writing by the Authority. No use or occupation of the building hereby permitted shall begin until the agreed scheme for the east boundary treatment has been fully completed.

Reason - To protect the reasonable amenities of neighbouring residents and the future occupiers of the site.

INFORMATIVES

There is potential for contamination on this land due to its former use as a growing site and the historic presence of glasshouses. Should the applicant intend to grow consumables on this land, they are advised to consider the potential for contamination and the associated risks.

OFFICER'S REPORT

Site Description:

The site consists of a former horticultural site which has been cleared and largely replaced by a tennis centre, except for a former packing shed along the east boundary and a reservoir to the south-west.

The site is situated behind neighbouring residential properties which front onto the highway La Route des Long Camps, it is adjacent to the Guernsey Tennis Centre and is accessed via a shared access with the Guernsey Tennis Centre. The site is located Outside of the Centres.

Relevant History:

None

Existing Use(s):

Agriculture use class 28

Brief Description of Development:

Planning permission is requested to convert and extend a former packing shed to create a 1 bedroom dwelling and to change the use of an area of agricultural land measuring 396sqm to associated domestic land.

The application is supported by a non-intrusive structural report.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

Policy OC1: Housing Outside of the Centres

Policy OC5(B): Agriculture Outside of the Centres – outside the Agriculture Priority Areas

Policy GP1: Landscape Character and Open Land

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP15: Creation and Extension of Curtilage

Policy GP16(A): Conversion of Redundant Buildings

Policy GP17: Public Safety and Hazardous Development

Policy IP6: Transport Infrastructure and Support Facilities

Policy IP7: Private and Communal Car Parking

Policy IP9: Highway Safety, Accessibility and Capacity

Representations:

One letter of representation was received from the neighbouring property to the east, main points as follows:

- No objections to the proposed application but concerned about the treatment of the east boundary between the application site and their property. Recommends that planting is conditioned along the boundary to ensure greater privacy between the properties.
- The neighbouring property currently has an informal access across the site, it is hoped that this informal access is not blocked by the development.

Consultations:

The Office of Environmental Health and Pollution Regulation, 12/02/2026

"I have reviewed the proposed plans to convert and extend a building to create a dwelling, change the use of agricultural land to domestic garden (396sqm) and associated works.

I have interrogated the States' Digimap system and records, which indicate that the site was historically used for horticultural purposes, including the presence of heated glasshouses. The building proposed for conversion may formerly have been used as a packing shed. In addition, glasshouses were historically located on the land parcel now proposed for domestic garden use, as well as on the adjoining land parcel, which is now occupied by a tennis club.

Due to this historic use, there is the potential for land contamination to be present at the site. Possible contaminants associated with former horticultural activities include metals, hydrocarbons, pesticides, and other substances typically linked to such uses.

This office has previously investigated and resolved a case relating to buried physical waste at this site. We are satisfied that this matter has now been appropriately remediated and does not pose a further risk. As part of that investigation, a contaminated land survey and report was undertaken. This report identified the presence of metals and some hydrocarbons within the area of the proposed dwelling and garden. However, with regard to heavy metals, no concentrations were reported above the relevant Generic Assessment Criteria (GAC) values, and the hydrocarbons identified were reported to be present at low levels.

While the available information does not indicate an unacceptable risk at this stage, the historic nature of the site means that there remains the potential for previously unidentified contamination to be encountered during development works.

In light of the above, I would advise that the applicant is made aware of this potential risk, and I recommend that the following condition is attached to any planning permission granted:

- If, during any development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until the applicant has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

I would also recommend that the following informative is attached to any planning permission granted:

- There is potential for contamination on this land due to its former use as a growing site and the historic presence of glasshouses. Should the applicant intend to grow consumables on this land, they are advised to consider the potential for contamination and the associated risks”.

Summary of Issues:

The main issues in deciding this application are:

1. The principle of residential conversion.
2. Whether the existing building is of sound and substantial construction and is capable of conversion without extensive alteration or rebuilding.
3. The impact of the development on the character and openness of the landscape.
4. The impact on the amenities of neighbouring residents.
5. Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings.
6. Whether the proposal would result in biodiversity enhancements.

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

Policy OC1 provides scope for the conversion of existing redundant buildings to dwellings Outside of the Centres provided that specific criteria as set out in Policy GP16(A) are met.

The site consists of a former horticultural site, the glasshouses have been cleared and largely replaced by a tennis centre. Consequently it is agreed that the packing shed is no longer required to service the former horticultural use of the site and the building is redundant in accordance with part (a) of Policy GP16(A).

The structural report concludes that the building is of sound and substantial construction for the use it was intended for and that there is no evidence of structural deficiencies that would require modification or upgrading of the main building for its proposed use. Some minor works were identified such as the repair of minor cracks to external render. Together with the relatively minor extent of works proposed, including the replacement of the roof covering and a modest extension to the south elevation, the information submitted is sufficient to demonstrate that the existing building is of sound and substantial construction and is capable of conversion without extensive alteration or rebuilding.

The existing building is not protected and is not considered to comprise a building of character that makes a positive contribution to the character and appearance of the area.

The site is situated behind a neighbouring dwelling to the east which fronts onto the highway and is bounded to the north and west by the Guernsey Tennis Centre. As a result there are limited public views of the site, it is well-related to existing built development and it does not form part of a wider area of open and undeveloped land. Together with the single storey nature of the building and the proportionately sized associated domestic garden, the proposed use of the building and associated land for residential purposes is unlikely to have any significant adverse impacts on the character and openness of the landscape.

The internal floor area of the existing building exceeds 30sqm. An extension is proposed to the southern end of the building to increase the size of the living area but the size of the extension would amount to an increase of less than 20% of the existing floor area and would constitute a modest extension for the purposes of Policy GP16(A).

No windows are proposed in the east elevation of the dwelling and together with the distance to the adjoining neighbouring dwelling to the east, the use of the building as a dwelling is unlikely to have any adverse effects on the amenities of neighbouring residents. The plans indicate the existing landscape buffer along the east boundary is to be retained. However, due to the unkempt nature of the site and the need to remove some vegetation around the building to construct the driveway, it is unclear how dense the remaining vegetation would be and whether it would provide a sufficient degree of privacy between the proposed dwelling and the neighbouring property to the east. To ensure that an adequate level of privacy is maintained between the properties, it is recommended that details of the east boundary treatment are provided and completed prior to occupation of the dwelling.

The proposal to change the use of a section of the land to a domestic use to serve the proposed dwelling also falls to be considered under Policies OC5(B), GP15 and GP1 of the Island Development Plan.

The site is not within an Agriculture Priority Area or an Area of Biodiversity Importance, no existing boundaries are proposed to be removed and the use of the land for domestic purposes is unlikely to have any significant adverse effects on neighbouring residents. As set out above, it is concluded that the proposal is unlikely to have any significant adverse impacts on the character and openness of the landscape and consequently the change of use of the land to a domestic use accords with Policies OC5(B), GP15 and GP1.

The proposed dwelling is limited in size, it would meet minimum internal space standards as set out under the Building Regulations for a one bedroom property for 2 people and it would meet the best practice minimum internal space standards for a one bedroom property for 1 person but it would be substantially below the best practice minimum internal space standards for a one bedroom property for 2 people (proposed 37sqm, best practice 50sqm).

A track serving the remaining agricultural land runs past the west elevation windows but the track is likely to have limited use due to the current use of the land which it serves and the overall level of privacy for the dwelling is likely to be adequate. The dwelling has the potential to receive adequate daylight and sunlight and would benefit from a good provision of outdoor space and an attractive outlook towards the south. The use of the adjoining tennis centre has the potential to cause a degree of noise and disturbance but it is unlikely to have a material adverse effect on the amenities of future occupiers. As a whole and despite some deficiencies, particularly the internal size, the proposed dwelling is likely to provide a satisfactory living environment.

The application is accompanied by a landscape plan. The measures proposed including the planting of native hedging along the south and west boundaries and the retention of existing trees and hedges along the east boundary has the potential to provide proportionate biodiversity enhancements, taking into account the size of the area of land involved. The planting density of the native hedge would raise concerns if only a single line of plants are proposed, further revised details of the planting density can be requested by condition.

The change of use of the building to a residential dwelling is likely to have a limited effect on the intensity of use of the access and a negligible impact on road safety and traffic management on the wider road network. The proposed vehicle parking and bicycle store would be adequate to serve the proposed dwelling.

To address the concerns raised by the Office of Environmental Health and Pollution Regulation regarding the potential for contaminated land, it is recommended that a condition is attached to the decision to investigate and if necessary implement mitigation measures should any contaminants be found, and a note is attached to the decision to raise awareness of the potential for and risks associated with contaminated land.

With regards to the comments in the representation about the informal access to the neighbouring property, the proposal indicates no alterations to the existing access. All decisions made by the Authority are without prejudice to third party rights, and the Authority is not able to address civil matters such as boundary, third party disputes or other related matters of ownership. Where necessary such cases should be resolved by seeking legal advice.

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.

It is recommended that the application is approved.

Date: 13/02/2026

