

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: Sub-divide, extend and alter dwelling to create 3 dwellings and associated works.

LOCATION: Wintonia, Les Grandes Capelles Lane, St. Sampson.

APPLICANT: Mr J Fitton

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: 26/03/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 17/12/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: ArcTech Freelance Architecture: JF-25-1102-02A & -03A.

Application Ref: FULL/2025/1968

Property Ref: B012070000

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.Prior to the first occupation of Unit 2, full details of the associated bike barn shall be provided to and approved by the Authority, and that bike barn shall be installed in accordance with the approved details. Storage for bicycles shall be retained thereafter.

Reason - In the interests of good design, the amenity of future residential occupants, and to encourage alternative modes of transport to the private car.

5.Prior to the first occupation of the dwellings hereby permitted the agreed scheme for garden/cycle and bin storage shall be fully implemented. The provision for bins and cycles shall be retained at all times.

Reason - To encourage the use of bicycles as an alternative to the car and to avoid odour and nuisance, in the interest of visual amenity.

6. Prior to the first occupation of the dwellings hereby permitted, full details of the photovoltaic panels shall be provided to and approved by the Authority and those panels shall be 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.

Expiry Date: This permission will cease to have effect on 25/03/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

This permission is given under the Land Planning and Development (Guernsey) Law, 2005. This decision does not override or prejudice any legal rights or constraints which exist in relation to the application site.

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/2025/1968
Property Ref: B012070000
Valid date: 17/12/2025
Location: Wintonia Les Grandes Capelles Lane St. Sampson Guernsey
GY2 4UT
Proposal: Sub-divide, extend and alter dwelling to create 3 dwellings
and associated works.

Applicant: Mr J Fitton

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. Prior to the first occupation of Unit 2, full details of the associated bike barn shall be provided to and approved by the Authority, and that bike barn shall be installed in accordance with the approved details. Storage for bicycles shall be retained thereafter.

Reason - In the interests of good design, the amenity of future residential occupants, and to encourage alternative modes of transport to the private car.

5. Prior to the first occupation of the dwellings hereby permitted the agreed scheme for garden/cycle and bin storage shall be fully implemented. The provision for bins and cycles shall be retained at all times.

Reason - To encourage the use of bicycles as an alternative to the car and to avoid odour and nuisance, in the interest of visual amenity.

6. Prior to the first occupation of the dwellings hereby permitted, full details of the photovoltaic panels shall be provided to and approved by the Authority and those panels shall be 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.

INFORMATIVES

This permission is given under the Land Planning and Development (Guernsey) Law, 2005. This decision does not override or prejudice any legal rights or constraints which

OFFICER'S REPORT

Site Description:

Wintonia is a detached hipped roof bungalow situated to the east of Les Grandes Capelles Lane. The access is shared with the two neighbouring dwellings to the south.

The properties are bounded by agricultural land to the north and east and a residential property to the south.

Relevant History:

Pre-application advice was sought in this case.

Existing Use(s):

01 dwellinghouse

Brief Description of Development:

The application relates to the subdivision of the existing property into three dwellings along with the erection of a single-storey extension to serve unit 1 and alterations to fenestration including infilling various windows and the removal of bow windows. The drawings make reference to a garden store/bike barn for each property along with a bin store. New rendered walls are proposed to separate gardens/parking.

The scheme comprises one, one bedroom unit and two, two-bedroom units of accommodation.

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

OC1: Housing Outside of the Centres

GP8: Design

GP9: Sustainable Development

IP6: Transport infrastructure and support facilities

IP7: Private and Communal Parking

IP9: Highway Safety, Accessibility and Capacity

Annex I: Amenities

Representations:

One neighbour representation has been received; as summarised below:

- Application incorrectly states six existing parking spaces; only 2–3 usable spaces currently exist. Architect has since confirmed plans actually show 5 spaces, not 3 as shown on the gov.gg website, raising concerns about lack of clarity and potential for post-approval changes.
- Moonlight and Coronado have a legal right of access over Wintonia's driveway; it must remain unobstructed at all times.
- Increasing the site from three to five dwellings will create substantial additional vehicle movements (residents, visitors, deliveries, refuse, trades, and services).
- Existing shared driveway is too narrow for two-way passing and relies on informal reversing/waiting, which is unsuitable for increased use.
- Proposed one parking space per dwelling is unrealistic with likely overspill parking onto the shared driveway, worsening obstruction and reducing safety.
- Conversion of existing lounge into a bedroom with an additional window will create direct bedroom-to-bedroom overlooking.
- Space between properties—previously quiet—would become:
 - A parking area directly outside our bedroom
 - A pedestrian thoroughfare for new occupants
- Resulting in significant noise, loss of privacy, and unacceptable disturbance.

- Request reconsideration of a separate shared entrance for Moonlight and Coronado (supported by Moonlight).
- Architect confirmed parking layout is “indicative” and may change.
- Publicly submitted plans show 3 spaces, but internal plans show 5 spaces. Risk that approval for 3 could result in 5 being built, increasing impact on access and amenity. This undermines confidence in the accuracy of the application and strengthens the objection.
- Request refusal of the application, or conditional approval only if a new entrance for Moonlight and Coronado is also granted.
- Additional request: the proposed extra window should be reconsidered, even if permission is granted.

Consultations:

N/A

Summary of Issues:

- The principle of the subdivision of a dwelling into three dwellings
- The impact of the proposals on the character of the area
- The effect of the proposals on the amenities of neighbouring occupiers and the amenities of future occupiers
- The level of extension proposed

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, ‘the Law’, have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Policy OC1 provides for new housing Outside of the Centres only where it is achieved through the subdivision of an existing dwelling or the conversion of a redundant building. As this application proposes the subdivision of the existing dwelling into three units of residential accommodation Policy OC1 provides a gateway for the development, subject to relevant policy criteria being met.

There are residential properties to the south of the site along with a detached garage constructed in connection with an adjoining dwelling known as Kalcode whilst land to the north, east and across the road to the west is open and undeveloped. Further residential properties are situated further along the road to the southwest. Within this cluster of residential development in an otherwise open landscape the subdivision of the property would remain compatible with the character and amenities of the surrounding area (OC1, GP1 and GP8).

The scheme proposes an extension to both units 1 and 3 in order to enlarge the living area of the proposed two-bedroom dwellings. Policy OC1 permits only a modest extension to an existing building. This requirement is taken in two parts:

- Firstly, the extensions proposed must be modest in relation to the building which is being subdivided. The floorspace of the proposed extensions in relation to the floor area of the original dwelling represent an increase of c.15% which is considered modest in relation to Policy OC1.
- Secondly, an extension needs to be considered against the new unit to which it relates in order to determine whether the extension would form a significant part of that unit. Although the scheme, with an extension that would house primary living accommodation, the buildings could accommodate a residential unit without extension and the extensions proposed would not be of a scale that it forms a significant part of any new unit. Notwithstanding the details shown on the plans, Unit 1 has an existing floor area of 56sqm which is sufficient for a 3 person dwelling. The proposed extension to unit 1 provides an additional 11.4sqm of floor area which represents an approx. 20.3% increase in the floorspace of that unit. Unit 3 has an existing floor area of 53sqm, which is sufficient for a 3 person unit as proposed, and the extension is 7.8sqm which represents an increase of 17% of this unit. On balance, these are considered to be modest for the purpose of OC1 c.

Both Policy OC1 and GP8 seek to address the matter of amenities and the health and well-being of occupiers of a development. New developments should be planned and built to support the health and well-being of occupants and users and maintain appropriate amenities for those of neighbouring property. The units will be dual aspect with good aspect and outlook for units 1 and 3. Aspect and outlook for Unit 2 will be somewhat tunnelled to the rear by the proposed 2m high boundary wall and existing building (unit 1) and curtailed at the front by the boundary wall, parking, bike and bin stores.

The proposed external alterations to the existing building and introduction of new boundary walls (which can be controlled by condition) will prevent unacceptable mutual overlooking between properties within the development. Given the single-storey nature of the building ground floor windows will not result in unacceptable overlooking or loss of privacy to the occupiers of adjoining dwellings.

All the proposed units will benefit from an area of external amenity space. Although an element of the space serving unit 2 may be overshadowed by the existing building the northern part of the garden area will not be affected by shadowing by the building. The large existing holm oak tree to the north boundary appears to be retained and this will result in some significant shading of the amenity space for units 1 and 2.

The three proposed units exceed Part G of the Building Regulations but fail to meet the DCLG space standards which represent best practice ensuring good internal space provision for future occupiers.

The layout of the units proposed could also be adapted at a later date to meet the changing needs of occupiers (e.g. grab rails in WCs/bathrooms, installation of hoists provided bedroom and bathroom ceilings are constructed in an appropriate manner and careful and appropriate siting of service controls) and the scheme therefore addresses GP8 criteria f. and g.

As identified above, there are some shortcomings with the scheme in terms of aspect/outlook and amenity space however, the different amenity objectives must be balanced and overall the amenities are considered acceptable when considering GP8 good design and health and well-being of occupiers.

The scheme provides off-road parking for each dwelling, proportionate to the size of unit proposed, along with cycle storage provision to address the aims of Policies IP6 and IP7. The three units would be served by the existing access which already serves three dwellings. The development would naturally result in an increased use of the vehicular access, but this is not expected to result in significant or demonstrable harm to neighbours.

The number of car parking spaces proposed has been raised by a neighbour and the physical space for parking has arguably increased from the existing due to the removal of the front wall. Aerial photographs show up to 4 cars parked within the current frontage, and the submitted plans show 3 car parking spaces proposed. It is considered likely that there is enough space to accommodate an additional space for units 1 and 3, resulting in a total of 5 spaces, as this is only one more space than could currently be accommodated within the frontage, the proposal is unlikely to cause significant harm in terms of highway safety or amenity.

The use of the southern side of the site for access and parking for two of the dwellings may result in a small increase in noise or disturbance but not significantly above what could already occur within the site, given the domestic use of the land.

Concern raised within the representations in relation to the shared access rights is a private civil matter between the parties concerned and not material planning considerations which would influence a decision on this planning application. Any grant of planning permission would be without prejudice to the normal legal rights and privileges of third parties with regards to ownership disputes. Neighbours have requested an alternative access be approved to serve the other two dwellings which shared the access, however this is not shown on the proposed plans and so can not be considered as part of this application. Should this be required a separate application will need to be made and will be considered on its own merits.

Alterations to the existing fenestration are proposed to the south-west elevation, closest to the neighbouring property, however these are all at ground level, at least 5m from the shared boundary and with an approx. 1.8m high intervening boundary fence. On that basis, no significant impacts on neighbours are expected.

In summary, the proposal is considered to be acceptable in relation to the relevant policies with no unacceptable neighbour impact anticipated.

3 - General material considerations set out in the General Provisions Ordinance.

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. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 25/03/2026

