

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: Fell trees (subject of Condition No. 3 - FULL/2013/0733),
(retrospective).

LOCATION: Le Verger, Icart Road, St. Martin.

APPLICANT: Saints Bay Hotel (Properties)

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: 04/03/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/01/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd: 7881-01/B1A, Landscaping Statement (pages 8-13, Section 9) date stamped received 9th January 2026).

Application Ref: FULL/2026/0046

Property Ref: J008950000 + J00895A000

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 landscaping scheme shall be fully completed, in accordance with drawing ref 7881-01 B1A, and Section 9 of the Landscaping Statement (pages 8-13, date stamped received 9th January 2026), in the first planting season following the grant of this

permission, i.e. by 31/03/2027, 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 - To ensure that the biodiversity enhancement planting scheme is carried out in a suitable timeframe given the retrospective nature of the application in the interests of visual amenity.

3. For the avoidance of doubt, the Authority does not recognise the 'area of land to be used for outdoor amenity ancillary to hotel' to be within the curtilage associated with Saints Bay Hotel, or Le Verger, and shall be used for agricultural purposes only.

Reason - to clearly define the permission and to prevent any ambiguity.

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

ADVICE AND OTHER REMARKS:-

Your attention is drawn to the Animal Welfare (Guernsey) Ordinance 2012 and the need to comply with their provisions. The trees may be used by nesting birds or other wildlife. You are therefore requested to fell tree ref: T17 and T18 outside of the main bird breeding season (March-July inclusive). If it is considered essential to remove the trees during the breeding season, it is recommended that you contact La Societe Guernesiaise so that the site can be inspected prior to the works to ensure that any protected species present are not impacted by the works. La Société can be contacted on 07781 166924 or email societe@cwgsy.net.

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/2026/0046
Property Ref: J008950000 + J00895A000
Valid date: 09/01/2026
Location: Le Verger Icart Road St. Martin Guernsey GY4 6JG
Proposal: Fell trees (subject of Condition No. 3 - FULL/2013/0733),
(retrospective).

Applicant: Saints Bay Hotel (Properties)

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 landscaping scheme shall be fully completed, in accordance with drawing ref 7881-01 B1A, and Section 9 of the Landscaping Statement (pages 8-13, date stamped received 9th January 2026), in the first planting season following the grant of this permission, i.e. by 31/03/2027, 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 - To ensure that the biodiversity enhancement planting scheme is carried out in a suitable timeframe given the retrospective nature of the application in the interests of visual amenity.

3. For the avoidance of doubt, the Authority does not recognise the 'area of land to be used for outdoor amenity ancillary to hotel' to be within the curtilage associated with Saints Bay Hotel, or Le Verger, and shall be used for agricultural purposes only.

Reason - To clearly define the permission and to prevent any ambiguity.

INFORMATIVES

Your attention is drawn to the Animal Welfare (Guernsey) Ordinance 2012 and the need to comply with their provisions. The trees may be used by nesting birds or

other wildlife. You are therefore requested to fell tree ref: T17 and T18 outside of the main bird breeding season (March-July inclusive). If it is considered essential to remove the trees during the breeding season, it is recommended that you contact La Societe Guerneslaise so that the site can be inspected prior to the works to ensure that any protected species present are not impacted by the works. La Société can be contacted on 07781 166924 or email societe@cwgsy.net.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises an area of agricultural land located to the south of Saints Bay Hotel, both under the same ownership. Within the centre of the agricultural land lies a detached dwelling-house which was converted to a dwelling in 2013 (FULL/2013/0733).

As part of the permission, planning conditions were attached to the decision, one of which protected against lopping, topping or felling of existing trees on the site in the interests of screening the approved house from public vantage points. Condition 3 stated:

3. No trees on the site shall be lopped, topped or felled without the express prior written consent of the Environment Department.

Reason - To protect existing trees at or adjoining the site in the interests of amenity

Planning permission is sought to fell trees retrospectively that were protected under Condition 3 of permission FULL/2013/0733.

The agent's letter sets out that 5 trees were removed following significant storm damage, with a further 2 Cypress trees to be removed on the north boundary. . The trees removed were located on, or adjacent to, the east and west boundary.

The application has been supported by a landscaping statement submitted by Environment Guernsey. The document sets out measures to replant a series of native hedges and trees on the site in attempt to replicate the former environment as set out in Section 9 of the report.

New native hedges and trees are proposed along the north, east, south and west boundaries, with other landscaping measures, such as developing grassland areas (section 9.4 of the Landscaping Statement) and additional native tree planting (Section 9.6 of the Landscaping Statement), within part of the interior of the site,

shaded in green on drawing 7881-01 B1A . 'Enhancement of developing grassland areas' is shown in white on the drawing submitted.

The landscaping details have been carefully selected to improve the bio-diversity of the site, and include the species, sizes and densities of plants.

Relevant History:

PREA/2020/1918	Fell tree (with conditions).	Pre-application enquiry
FULL/2019/0269	Change of use to visitor economy (use class 7). Demolish shed, erect toilet block and marquee. Create vehicular access to south boundary with associated parking and landscaping.	Withdrawn
PREA/2017/3014	Erect temporary marquee in adjacent field for weddings/functions	Pre-application enquiry
PREA/2016/1517	Agricultural land used for the parking of vehicles associated with the adjacent Hotel premises.	Pre-application enquiry
PREA/2014/1626	Create alternative vehicular access to the property known as La Jaoniere d'Icart.	Pre-application enquiry
PREA/2013/3914	Change of use to tourism for the creation of possible car parking, function suite and staff accommodation for Saints Bay Hotel.	Pre-application enquiry
FULL/2013/0733	Convert building to dwelling (retrospective).	Granted

Existing Use(s):

Saints Bay Hotel – Serviced Visitor Accommodation (Visitor economy use class 7)
Agricultural field (south of Hotel) –agricultural use class 28.
Dwelling-house (Le Verger) – residential use class 1

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:

GP1 Landscape Character and Open Land
GP8 Design
GP13 Householder Development
OC5(B) Agriculture Outside of the Centres – outside of the Agriculture Priority Areas
OC8 (A) Visitor Accommodation Outside of the Centres - New, Extension, Alteration or Redevelopment of Existing Uses

Conclusion/Brief comment:

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.

The trees identified on the drawings submitted, together with other significant forms of vegetation (based on aerial photographs), such as the removal of hedging mainly located on agricultural land, is regrettable when taking into account the substantial loss of dense vegetation and biodiversity of the land, and the resultant negative impact on the landscape character and visual amenity of the surrounding area.

Although given the replacement bio-diversity measures proposed, the proposed trees and hedges located around the perimeter of the site will, in time, make a meaningful positive contribution to both the landscape character and amenity of the area, with particular focus on screening the existing dwelling-house which has now become unsightly and highly visible from public vantage points, contrary to the principal aim and objective of planning Condition 3 as part of application FULL/2013/0733.

Whilst it is recommended that additional tree and hedge planting should be incorporated within the interior of the site, located to the north and west of the existing dwelling-house to replicate the former condition of the land; it is not considered necessary nor reasonable in this instance when balancing the positive landscaping measures around the perimeter of the site, coupled with the dense area of planting located to the east and west of Le Verger, shaded in green. Moreover, the interior of the site is likely to naturalise, similar to the former state of the land prior to the clearance of vegetation. Overall, a reasonable balance has been reached between the former condition of the land and the improvements to the site via sufficient bio-diversity measures contained in Environment Guernsey's report.

A suitable planning condition should be attached to the decision to ensure that the proposed landscaping scheme is undertaken within a reasonable timeframe to limit the harm to visual amenity and to ensure that it is carried out within the planting season.

An informative should be attached to encourage that the remaining trees to be felled along the north boundary is carried out outside of the bird breeding season (March-July Inclusive).

Also, the Authority does not recognise the 'area of land to be used for outdoor amenity ancillary to hotel' to be within the curtilage associated with Saints Bay Hotel and shall be used for agricultural purposes only. A condition to this effect should be attached to the decision.

No representations have been received as part of this application.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 03/03/26