

**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 pillars, remove and alter section of earth-bank to create vehicle access and parking area to south (front) of property, alter existing vehicle access, erect earth-bank and gated pedestrian access to north-west boundary.

**LOCATION:** Douit De La Porte, Steam Mill Lane, St. Martin.

**APPLICANT:** Mr J McConnell

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:** 07/04/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 29/01/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Block Layout Plan, annotated photographs (all date stamped received 18th March 2026).

**Application Ref:** FULL/2026/0117

**Property Ref:** J004960000

**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. (a) Full details of the native hedge to be planted in the position shown on the hereby approved block plan, including the species, size and density of plants at the time of planting, shall be submitted to and approved in writing by the Authority.

(b) The hedge shall be planted in accordance with details approved as per criterion (a) of this condition within the first planting season (October - April) following the parking area to the front of the dwelling being brought into first use, or following the construction of the earth bank to the rear of the dwelling hereby approved, whichever is the sooner. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - To ensure that the planting scheme is carried out in a suitable timeframe following the creation of the replacement car parking area in the interests of visual amenity and to respect the landscape character.

5. Within 2 months of the new vehicular access being formed, the earthbank to the front of the house shall be lowered and made good to match as closely as possible to the roadside boundary treatment.

Reason - To ensure the works are carried out in a reasonable timeframe in the interests of visual amenity.

6. Within 2 months of the new vehicular access being formed, the new earthbank to the rear of the house shall be constructed to match as closely as possible to the roadside boundary treatment.

Reason - To ensure the works are carried out in a reasonable timeframe to enable a vehicle to maneuver on site and egress from the property in forward gear, in the interests of highway safety.

7. Within 2 months of the new vehicular access being formed, the hardsurfacing shall be installed to the front of the house fully in accordance with the approved Application Block Layout Plan (parking space outlined red and access/turning hatched green) and thereafter, the turning area must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason - To ensure the works are carried out in a reasonable timeframe to enable a vehicle to maneuver on site and egress from the property in forward gear, in the interests of highway safety.

**Expiry Date: This permission will cease to have effect on 06/04/2029 unless development is commenced by that date.**

#### **ADVICE AND OTHER REMARKS:-**

##### **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](http://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](mailto: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/2026/0117  
**Property Ref:** J004960000  
**Valid date:** 29/01/2026  
**Location:** Douit De La Porte Steam Mill Lane St. Martin Guernsey  
**Proposal:** Demolish pillars, remove and alter section of earth-bank to create vehicle access and parking area to south (front) of property, alter existing vehicle access, erect earth-bank and gated pedestrian access to north-west boundary.

**Applicant:** Mr J McConnell

**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. (a) Full details of the native hedge to be planted in the position shown on the hereby approved block plan, including the species, size and density of plants at the time of planting, shall be submitted to and approved in writing by the Authority.

(b) The hedge shall be planted in accordance with details approved as per criterion (a) of this condition within the first planting season (October - April) following the parking area to the front of the dwelling being brought into first use, or following the construction of the earth bank to the rear of the dwelling hereby approved, whichever is the sooner. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - To ensure that the planting scheme is carried out in a suitable timeframe following the creation of the replacement car parking area in the interests of visual amenity and to respect the landscape character.

5. Within 2 months of the new vehicular access being formed, the earthbank to the front of the house shall be lowered and made good to match as closely as possible to the roadside boundary treatment.

Reason - To ensure the works are carried out in a reasonable timeframe in the interests of visual amenity.

6. Within 2 months of the new vehicular access being formed, the new earthbank to the rear of the house shall be constructed to match as closely as possible to the roadside boundary treatment.

Reason - To ensure the works are carried out in a reasonable timeframe to enable a vehicle to maneuver on site and egress from the property in forward gear, in the interests of highway safety.

7. Within 2 months of the new vehicular access being formed, the hardsurfacing shall be installed to the front of the house fully in accordance with the approved Application Block Layout Plan (parking space outlined red and access/turning hatched green) and thereafter, the turning area must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason - To ensure the works are carried out in a reasonable timeframe to enable a vehicle to maneuver on site and egress from the property in forward gear, in the interests of highway safety.

---

## **OFFICER'S REPORT**

### **Site Description:**

The application site, known as “Dout De La Porte”, consists of a detached dwelling-house which forms the junction between Steam Mill Lane and Dout de la Porte.

The site is situated Outside of the Centres as defined in the Island Development Plan.

The property is served by a pedestrian access to the front (south-west) and a car parking space to the rear (north-west).

Both Steam Mill Lane and Dout de la Porte are recognised as Neighbourhood roads which typically feature low traffic speeds and volumes.

### **Relevant History:**

| <b>Reference No</b> | <b>Description</b>                                                           | <b>Decision</b>         | <b>Date</b> |
|---------------------|------------------------------------------------------------------------------|-------------------------|-------------|
| PREA/2025/0074      | Remove section of earthbank to create 2 parking spaces                       | Pre-application enquiry | 2025        |
| FULL/2012/1803      | Remove section of hedge and replace with wooden fencing to side of property. | Granted                 | 2012        |
| PAPP/1998/2034      | Demolish section of garage and clad the remainder to provide a shed.         | Granted                 | 1998        |

### **Existing Use(s):**

Residential

### **Brief Description of Development:**

Planning permission is sought to demolish pillars and a section of earth-bank to create a replacement vehicular access and parking area to the south (front) of the property. The new access will be 4m wide. A section of the roadside earthbank to the west of the proposed access point will be reduced down to 950mm high.

It is also proposed to close-off the existing vehicle access and construct a new native hedgebank to the rear of the property and install a gated pedestrian access.

The application was deferred in light of Traffic and Highway Services which raised concerns over the lack of a turning point, as well as minor issues such as the height of the proposed earthbank.

In response, the applicant has omitted one of the car parking spaces and has incorporated a turning point in order to allow a vehicle to egress from the site in forward gear, in attempt to overcome the concern raised. The earthbank to the west of the proposed access point has also been reduced to 900mm high.

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

GP1: Landscape Character and Open Land  
GP8: Design  
GP13: Householder development  
IP9: Highway Safety, Accessibility and Capacity

**Representations:**

None.

**Consultations:**

**Traffic and Highway Service's comments:**

*"Further to my previous email, please accept this as THS' response in respect of the above planning application.*

*To save repetition, I have copied and pasted the below from correspondence with the applicant in May 2025 when the applicant was making direct enquiries with THS in relation to the feasibility of such an application. I have highlighted the comments in respect of this application that I consider relevant.*

*The site is located within a network of neighbourhood lanes at a junction.*

*Although the technical standards determine that accesses should not be created in close proximity to a junction, I am satisfied that the overall design of the access under application, enables a driver egressing the proposed access to have a full visibility splay and sightlines through the junction. This will be achieved through the access itself, but also the tapering of the roadside bank that forms the northwestern side of the site boundary (on Les Brayes).*

*Sightline standards that would be applied on a neighbourhood lane would be that a driver egressing should be able to have a full visibility splay of a minimum of 20m, using a datum 2m back from the carriageway edge. Importantly, and where this is difficult to achieve at the site, is that the vehicle should be able to exit square to the carriageway edge, in order that the driver is not having to turn or rely on mirrors, looking over their shoulder, etc. to achieve an unobstructed view of oncoming and approaching drivers.*

*From viewing the plans provided with the application, I would accept that the sightline standard can be achieved from the reduction of the roadside bank. This is however dependant on a vehicle egressing in a forward direction square to the carriageway.*

*The site is in some respects problematic, due to the change in levels between the carriageway and land height within the property boundary – ideally site and carriageway are level, but in either event, the driver egressing should have an unobstructed view of any walls, boundary fences or foliage of 900mm or below – anything above 900mm is deemed as an obstruction to the visibility splay. In this instance the change in height results in the site being higher than the carriageway, and therefore it would be reasonable to calculate the 900mm maximum obstruction height, based on the planned level where the vehicle would egress from.*

*I note from the plans provided and covering letter that the obstruction heights are referenced at 950mm as opposed to 900mm. This may be due to a slight difference in ground height, which cannot be determined from the plans, or a rationale as to why the applicant has referred to 950mm. Although THS would acknowledge that the difference is minimal in real terms, it may be prudent to ask the applicant the basis of this measurement(?) – applying the letter of the technical standards would fail this criteria, etc.*

*The site is constrictive, inasmuch that it does not provide sufficient space for a vehicle to be turned within the site at the front of the site. As such, the lack of turning point becomes a significant barrier to such an application – the ‘logic’ here, being that a driver should be able to egress in a forward direction, square to the carriageway. Although it may appear somewhat moot, that a user of the proposed access would reverse into the access and drive forwards to egress, the problem from a Planning and Traffic perspective is that the method of use cannot be conditioned within a planning application, and if there is not space to turn a vehicle, we would not support the application. The other significant factor that would be considered by the Planning Department and which they would raise, would be in relation to the proposed access being within 20m of the junction. Inasmuch that the strict application of the engineering standards dictates that applications within 20m of a junction should not be progressed, THS will consider applications on a case-by-case basis – albeit that the minimum mitigation that we would seek, is that a driver egressing such an access has a clear and full visibility splay of the relevant arms of the junction. For ease of representation the yellow marks shown on the aerial photo above indicate the 20m bounds of visibility, which should be visible 2m from the carriageway edge. I’m not sure that this can be achieved given the geometry of the site.*

*This area of narrative from my response to the applicant’s direct enquiry to THS in May 2025 does not appear to be addressed in terms of the layout shown on the plans or the covering letter with the application.*

*My interpretation of the plans is that it would not be possible to turn a vehicle within the site in order that a vehicle can egress in a forward direction. Therefore, whilst I acknowledge the visibility splay and sightlines of a vehicle square to the carriageway egressing forward onto the carriageway would enable a full visibility splay, the concerns that still exist, are that of a driver reversing onto the carriageway at this location. As per the commentary in the preceding paragraph, the lack of turning point is a significant problem and given the site's geometry, I'm not sure that it would be possible to enable any, except the smallest vehicles to turn and drive out forward.*

*In relation to the rear of the property, I can confirm that Douit De La Porte is a public road for approximately 134m from the junction with Steam Mill Lane, which is a point beyond the left-hand bend immediately after Les Feugriaux. I take and understand the point you make re having to reverse to your current parking area given the restrictions on access from the Ruelle Brayes end, etc.*

*Overall, I understand the site's geometry in relation to the junction but cannot support the application due to the lack of turning point on road safety grounds."*

**Summary of Issues:**

- Whether the design of the development is acceptable.
- The impact of the development on the character and appearance of the area.
- The impact of the development on neighbour amenity.
- Whether the proposed vehicle access point is acceptable and would not negatively impact on highway safety.

**Assessment against:**

**1 - Purposes of the law.**

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

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

**Whether the principle of the development and its design is acceptable.**

The property in question is not a protected building nor situated within a Conservation Area. In less sensitive areas such as this, Policy GP13 indicates that less prescriptive control will be applied thereby allowing property owners greater freedom of choice with regard to private property development. This flexible and proportionate approach underpins the objectives of the Island Development Plan and is further substantiated by Policy GP8 which adopts a supportive position with regarding to design matters in areas that are less sensitive to change.

With regards to the alterations to the roadside boundary, Policy GP1 (Landscape Character and Open Land) states that proposals will not be supported if they would result in the unacceptable loss of any specific distinctive features that contribute to the landscape character and open land.

The application has also been assessed against Policy IP9 (Highway Safety, Accessibility and Capacity). It is noted within the preceding text (paragraph 20.10.4) that the Authority will balance any impact on the character of the locality concerned in terms of retaining roadside features whilst, affording a significant degree of flexibility especially in less sensitivity areas so that reasonable development aspirations can be met.

With regards to the design (Policy GP8) of the proposal, the width of the proposed vehicular access respects the character of the area as it is similar to other vehicular widths in the locality. Whilst the property is already served by a vehicle access and parking area to the rear of the property, it is considered a reasonable aspiration of the property owner to replace the access point and parking area to the front of the house, where it would achieve better sightlines and relationship to the road as a vehicle has the capacity to leave in forward gear and would not result in looking over the drivers shoulder in order to egress from the parking area, as currently experienced.

Whilst it is recognised that the proposal will result in the loss of a boundary feature, the application site is not situated in a Conservation Area and given that a number of other properties on this road are served by single access points to the front of neighbouring property, any impact on the character or appearance of the surrounding area would not be so substantial to warrant the refusal of planning permission (Policy GP1). In addition, closing off the existing parking area and establishing a native hedge bank to the rear of the property helps to offset the harm caused to the character or appearance of the locality, a matter to be controlled by condition.

Traffic and Highway Services have noted concerns over the new vehicular access point to the front of the property with regards to highway safety issues, with particular emphasis over the lack of a turning point.

In light of the amendments secured, the proposal features a parking space for one car and a turning point to enable a vehicle to leave in forward gear. The applicant has also reduced the height of the earth bank to 900mm high in accordance with THS's comments.

On this basis and notwithstanding further comments from THS, the revised scheme would overcome the primary concerns raised by THS, and therefore the functional design of the proposed car parking area is supported under Policy GP8 and IP9.

The applicant has set out in their letter dated 16<sup>th</sup> March (2026) that a rumble strip comprising blue/grey granite sets will be installed for the first 2 metres of the driveway

nearest the road, with the remainder of the parking area finished in 19mm grey/blue gravel. Whilst it is noted that the creation of the hard surfacing area as proposed would typically constitute exempt development under the Land Planning Development (Exemptions) Ordinance, 2023, in this case, the extent of hard surfacing is required to ensure there is sufficient space to enable a vehicle to maneuver on site and egress from the property in forward gear. It is therefore considered reasonable and necessary to ensure that the hard surfacing is carried out within a reasonable timeframe in accordance with the approved details in the interests of highway safety.

Consequently, the impact on the landscape character is balanced against and outweighed in this instance by the reasonable aspirations of the property owner to create a replacement vehicle access and parking area to the front of the property. In addition, the proposed access is likely to be an improvement when compared to the existing access arrangement with regard to highway safety and traffic management.

The proposal will not adversely affect the amenities of neighbouring residents.

Based on the above, the application is considered compliant with the provisions of Policy GP1, GP8, GP13 and IP9 of the Island Development Plan; it is therefore recommended that planning permission be granted, subject to conditions.

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

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered 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.

For the reasons set out within this report, it is recommended that planning permission be granted, subject to conditions.

**Date:** 02/04/26

