

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: Change of use of an area of agricultural land to domestic garden (1,316m²) and to install 72 ground mounted solar panels on the land.

LOCATION: Le Carrel, Les Effards Road, St. Sampson.

APPLICANT: Mr/Ms L W & J K Shephard

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: 19/10/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/05/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Brian R Martel: 4227.02.01A; .02B and Environment Guernsey Biodiversity Statement August 2026

Application Ref: FULL/2026/0701

Property Ref: B00973B000

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 new native hedging and the common gorse to be planted as shown on drawing ref: 4227.02.02 Rev B, including the species, size and density of plants at the time of planting, shall be submitted to and approved in writing by the Authority by no later than 31/12/2027.

(b) The landscaping scheme shall be fully completed, in accordance with the details as shown on drawing ref: 4227.02.02 Rev B and in accordance with the approved details subject to part (a) of this condition, in the first planting season following the grant of this permission or by 31/03/2028 and shall thereafter be maintained and managed in accordance with the detail provided in Environment Guernsey Biodiversity Statement August 2026. 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 help assimilate the development into its surroundings, and to provide biodiversity enhancements in line with the Strategy for Nature SPG.

5. If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

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

Expiry Date: This permission will cease to have effect on 18/10/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

There is potential for contamination on the land arising from its former use as a growing site and the historic presence of glasshouses. Should the applicant intend to cultivate consumable produce on the site, consideration should be given to the potential for contamination and any 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/2026/0701
Property Ref: B00973B000
Valid date: 06/05/2026
Location: Le Carrel Les Effards Road St. Sampson Guernsey GY2 4YW
Proposal: Change of use of an area of agricultural land to domestic garden (1,316m²) and to install 72 ground mounted solar panels on the land.

Applicant: Mr/Ms L W & J K Shephard

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 new native hedging and the common gorse to be planted as shown on drawing ref: 4227.02.02 Rev B, including the species, size and density of plants at the time of planting, shall be submitted to and approved in writing by the Authority by no later than 31/12/2027.

(b) The landscaping scheme shall be fully completed, in accordance with the details as shown on drawing ref: 4227.02.02 Rev B and in accordance with the approved details subject to part (a) of this condition, in the first planting season following the grant of this permission or by 31/03/2028 and shall thereafter be maintained and managed in accordance with the detail provided in Environment Guernsey Biodiversity Statement August 2026. 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 help assimilate the development into its surroundings, and to provide biodiversity enhancements in line with the Strategy for Nature SPG.

5. If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

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

INFORMATIVES

There is potential for contamination on the land arising from its former use as a growing site and the historic presence of glasshouses. Should the applicant intend to cultivate consumable produce on the site, consideration should be given to the potential for contamination and any associated risks.

OFFICER'S REPORT

Site Description:

The application site comprises a small, grassed agricultural field enclosed by mature hedging and earthbanks, located immediately adjacent and to the north east of the dwelling known as Le Carrel.

Surrounding the site the area comprises residential properties to the east and west with an agricultural field to the north (also in the applicant's ownership). The site is situated Outside of the Centres as designated in the Island Development Plan.

Relevant History:

FULL/2014/1886	Install two storage containers in field for a temporary period	Granted 18/08/2014
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Existing Use(s):

Agricultural – application site/field in question

Brief Description of Development:

Planning permission was originally sought for the installation of 72 solar panels on this agricultural land. Following the deferral of the application, revised plans have been submitted which amend the proposal to include the change of use of the land to form part of the residential curtilage of the property, together with the installation of a 72-panel solar array.

As part of the revised submission, a landscaping plan and a Biodiversity Statement have been provided to demonstrate the planting proposals and management measures intended to deliver biodiversity enhancement and ensure that the development contributes positively to the ecological value of the site.

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

Island Development Plan Policies:

OC5(B): Agriculture Outside of the Centres – outside the Agriculture Priority Areas
GP1: Landscape Character and Open Land
GP13: Householder Development
GP15: Creation and Extension of Curtilage

Representations:

None

Consultations:

Agriculture, Countryside and Land Management Service (ACLMS)

By email dated 06th October 2026 stated the following:

“We just spoke about an application site where a change of use is being sought to facilitate the introduction of solar panels. We discussed the retention of existing hedge boundaries, management of the existing improved grassland and introduction of gorse as outlined in the ecologist report (Environment Guernsey). From what we discussed I am minded to agree with the ecologist report that this would constitute a biodiversity enhancement due to the change in management of the grassland and the planting of gorse to introduce a more diverse vegetation structure to the field.”

Office of Environmental Health and Pollution Regulation (OEHPR)

Further to our conversation I would recommend that the following condition is attached to the above application:

“If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.”

In addition please can you add the following informative:

There is potential for contamination on the land arising from its former use as a growing site and the historic presence of glasshouses. Should the applicant intend to cultivate consumable produce on the site, consideration should be given to the potential for contamination and any associated risks.”

Summary of Issues:

The main issues in deciding this application are:

1. Whether the proposed domestic curtilage extension is acceptable, considering:
 - a. its impact on the landscape character and openness of the area.
 - b. The loss of agricultural land.
 - c. Whether the proposal would result in biodiversity enhancements.
2. Whether the solar array is acceptable considering:
 - a. Any impact on the general appearance and character of the area; and
 - b. Any impact on neighbour amenity

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).**

Whether the proposed domestic curtilage extension is acceptable

The proposal to extend the domestic curtilage falls to be considered principally under Policies GP15 and GP1 of the Island Development Plan.

The site is not within an Area of Biodiversity Importance or an Agriculture Priority Area, no existing boundary features are proposed to be removed, and the proposed change of use would not of itself have an adverse impact on or affect the amenities of neighbouring residents.

The land the subject of this application is partially visible from the highway to the east and it adjoins a wider area of undeveloped/agricultural land (within the applicant's ownership) to the north. However, the land is well-related to the existing dwelling, it aligns with existing boundaries on this site and neighbouring properties and the land does not unduly project into the wider area of undeveloped/agricultural land. The proposed change of use of the land is therefore unlikely to have a significant adverse effect on the openness and landscape character of the area, in accordance with Policies GP15 and GP1.

The proposed landscaping scheme, biodiversity enhancements and long-term management of the land, as shown on the landscaping plan and detailed within the Biodiversity Statement, have been discussed with States ACLMS. They consider the proposals to be both appropriate for the character of the area and proportionate to the scale of the site. This is particularly the case given that more extensive planting, such as trees, could result in overshadowing of the proposed solar array and thereby undermine its efficiency and operation. Nevertheless, to ensure that appropriate biodiversity enhancements are delivered in a timely manner, it is recommended that details of the proposed planting, including species, size and planting density, are submitted for approval. The landscaping should then be implemented in accordance with the approved details by the end of the next planting season (31 March 2028). This requirement can be secured by a planning condition.

Due to the former horticultural use of the land and the resultant potential for contamination of the land, the condition and informative recommended by OEHPR should be applied to the decision notice to advise of the potential risks.

Whether the solar array is acceptable

The site is bounded by substantial hedgerows on all sides, all of which are proposed to be retained as part of the development. These established boundary features are of sufficient height and density to effectively screen the proposed solar array from the road to the east and from adjoining agricultural fields to the north and south. As a result, the development would be well contained within the site and would not give rise to any significant adverse effects on the character of the surrounding landscape or the visual amenities of the area. The proposal would also not harm the amenities of any nearby residential properties. The solar array is acceptable and complies with the provisions of policies GP8 and GP13.

The proposed development would harness renewable energy and is therefore in accordance with Policy GP9.

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 application is acceptable in relation to the above policies and other material planning considerations and it is recommended that planning permission be granted subject to conditions.

Date: 14/10/2026

