

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND SECTION 19 OF THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

PROPOSALS: Change of use of agricultural land to domestic garden (860sqm), demolish existing carport and erect outbuilding/garage/workshop to south boundary (revised scheme).

LOCATION: Harmony Chalet, Grand Fort Lane, St. Sampson.

APPLICANT: Mr M Neves

I refer to the application referred to below received as valid on 03/06/2026 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 06/08/2026

Drawing Nos: Tailored Planning Solutions - MN:25:09 03A, 02C,

Application Ref: FULL/2026/0901

Property Ref: B01086A002

The Development & Planning Authority has decided to refuse your application under the provisions of section 16 of the Land Planning and Development (Guernsey) Law, 2005 for the following reasons:-

1. The introduction of an outbuilding/workshop of the proposed mass, height, scale and design to be associated with a residential dwelling-house would be harmful to the character and appearance of the locality. The proposal does not represent 'good' design for the purposes of Policy GP8. In its current form, the development is sufficient to rebut the flexibility afforded to householders so that reasonable development aspirations can be met (Policy GP13). The development would be contrary to Island Development Plan Policies GP8 and GP13.

OTHER REMARKS:-**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, against a decision to refuse an application for planning permission or outline planning permission to the Planning Tribunal on the merits. 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.

Copy of representations made

In reaching this decision the Development & Planning 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 to the Authority under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2026/0901
Property Ref: B01086A002
Valid date: 03/06/2026
Location: Harmony Chalet Grand Fort Lane St. Sampson Guernsey GY2 4FE
Proposal: Change of use of agricultural land to domestic garden (860sqm), demolish existing carport and erect outbuilding/garage/workshop to south boundary (revised scheme).
Applicant: Mr M Neves

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The introduction of an outbuilding/workshop of the proposed mass, height, scale and design to be associated with a residential dwelling-house would be harmful to the character and appearance of the locality. The proposal does not represent 'good' design for the purposes of Policy GP8. In its current form, the development is sufficient to rebut the flexibility afforded to householders so that reasonable development aspirations can be met (Policy GP13). The development would be contrary to Island Development Plan Policies GP8 and GP13.

OFFICER'S REPORT

Site Description:

The property known as 'Harmony Chalet' is a 1970's bungalow which is set back from and faces east onto Grand Fort Lane. The lane runs along the eastern boundary, there are neighbouring bungalows to the north and south and across the lane to the east, to the west is Northfield football club's training ground at a higher level beyond the agricultural land that is within ownership of Harmony Chalet.

Relevant History:

FULL/2026/0212 - Change of use of agricultural land to domestic garden (860sqm), demolish existing carport and erect outbuilding/garage/workshop to south boundary – Refused May 2026.

Existing Use(s):

Residential use class 1: dwelling house.

Agricultural use class 28: agriculture.

Brief Description of Development:

This application is a revised scheme for a change of use of agricultural land to domestic garden (860sqm), and to demolish the existing single car port and erect a 5.6m wide x 10m long x 5.45m high outbuilding/garage/workshop to the southwest of the main dwelling (9m x 12.5m). The revised outbuilding is approx. 25% smaller than the previously refused outbuilding.

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

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

GP15: Creation and Extension of Curtilage

Representations:

There have been two letters of representation received and the issues are:

- The structure would be incongruous in such a rural environment, due to the height, scale and design proposed despite being slightly smaller than the original design which was rejected. It would not sit comfortably in a residential area.
- The 3 metre wide Right of Way that runs alongside the boundary wall of Fairway has been acknowledged in this second application. However, the proposal is of concern. "To the north, the land is currently open to the adjoining property but will be enclosed through the planting of native hedge species". This would deny the owners of Demivara from accessing their property.
- I believe that the deeds of Harmony Chalet state that it is a legal requirement that any owners of Demivara should have the right to utilise the Right of Way and cross the top of the field by arrangement with the owners of Harmony Chalet if work was needed as they do not have vehicular access to the field from their own property.
- Although we note the reduction/changes in the size and Location of the proposed garage/workshop, this is marginal. The Industrial design remains the same, and the size of the structure is out of keeping with neighbouring properties. This is a quiet, purely residential cul-de-sac.
- In our opinion, the proposed development will have a material effect on neighbouring properties.
- The plans do not show, or acknowledge, the "Right of Way" that exists between Harmony Chalet and Demivara.

Consultations:

None.

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

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.

The refused outbuilding was 6m high and 10m x 7.5m. The revised outbuilding is 5.45m high and 10m x 5.6m, which is approx. 25% smaller. The eaves height has been reduced and the roof pitch increased.

The character and appearance of the area is very much open and rural with a few properties, mostly bungalows located along the access track. It is recognised that the dimensions of the building have been reduced since the refusal and that it is set back within the site, also that the proposed height is a function of including the vehicle lift.

However, notwithstanding the revisions, the building remains large and will still appear incongruous and out of scale and character within this rural, domestic setting. When viewed between two bungalows it would close the visual gap between the buildings which helps to maintain the open, rural character.

For this reason, the application is recommended for refusal.

As previously, the change of use of the agricultural land to domestic garden is considered acceptable in principle in relation to Policy GP15 as the site is not located within the APA and is bordered by Northerners football club to the west and south. The proposed biodiversity enhancements are largely acceptable, although alternative species for the wildflower meadow would be more appropriate due to the shady location and could be conditioned, should the application be otherwise acceptable.

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 considered 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: 06/08/2026