

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: Subdivide dwelling to create two dwellings and associated works.

LOCATION: Permanance, Les Abreuveurs Road, St. Sampson.

APPLICANT: Mr I & Mrs S Pearce

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: 30/07/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/06/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: MAT Ltd: 25-386-06A, 07A, 08A, 09A, 10A

Application Ref: FULL/2026/1004

Property Ref: B014380000

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 commencement of any work in connection therewith details of the height and appearance of the fencing proposed to enclose the patio area to serve the 'Wing' hatched blue on the approved plans shall be submitted to and agreed in writing by the Authority. The 'wing' shall not be occupied as a separate unit of residential accommodation (as approved) until the agreed scheme for boundary treatment has been fully completed.

Reason - In the interests of residential and visual amenities.

5.No occupation of the 'wing' as a separate dwelling (as approved) shall take place until such time as the parking facilities shown on the approved plans have been completed in accordance with the approved details.

Reason - To make sure vehicles can enter and leave the site in a forward direction and to provide off-street parking, in the interests of road safety and effective traffic management.

6.Prior to the commencement of any work in connection therewith and notwithstanding the details shown on the approved plans full details of the floor area, height, external materials and external appearance/design of the cycle store/shed shown on the approved plans have been submitted to and agreed in writing by the Authority. The 'wing' shall not be first occupied as a separate, self-contained dwelling until the agreed scheme has been fully implemented.

Reason - To encourage the use of bicycles as an alternative to the car.

Expiry Date: This permission will cease to have effect on 29/07/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt the garage/workshop situated in the northeast corner of the site and approved under application reference FULL/2019/1466 remains as an ancillary domestic outbuilding associated with Permanance. It is to be used only for purposes incidental to the enjoyment of that dwelling house unless in accordance with a use permitted under the Land Planning and Development (Exemptions) Ordinance, 2023 or any other Ordinance replacing or re-enacting that Ordinance.

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/2026/1004
Property Ref: B014380000
Valid date: 22/06/2026
Location: Permanance Les Abreuveurs Road St. Sampson
Guernsey GY2 4XA
Proposal: Subdivide dwelling to create two dwellings and associated works.

Applicant: Mr I & Mrs S Pearce

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 commencement of any work in connection therewith details of the height and appearance of the fencing proposed to enclose the patio area to serve the

'Wing' hatched blue on the approved plans shall be submitted to and agreed in writing by the Authority. The 'wing' shall not be occupied as a separate unit of residential accommodation (as approved) until the agreed scheme for boundary treatment has been fully completed.

Reason - In the interests of residential and visual amenities.

5. No occupation of the 'wing' as a separate dwelling (as approved) shall take place until such time as the parking facilities shown on the approved plans have been completed in accordance with the approved details.

Reason - To make sure vehicles can enter and leave the site in a forward direction and to provide off-street parking, in the interests of road safety and effective traffic management.

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Reason - To encourage the use of bicycles as an alternative to the car.

INFORMATIVES

For the avoidance of doubt the garage/workshop situated in the northeast corner of the site and approved under application reference FULL/2019/1466 remains as an ancillary domestic outbuilding associated with Permanance. It is to be used only for purposes incidental to the enjoyment of that dwelling house unless in accordance with a use permitted under the Land Planning and Development (Exemptions) Ordinance, 2023 or any other Ordinance replacing or re-enacting that Ordinance.

OFFICER'S REPORT

Site Description:

Permanance is a semi-detached property situated to the east of Les Abreuveurs Road. The property has a painted exterior and PVCu sliding sash windows to the front façade. Flat roof dormers are installed to the front roofslope and a catslide dormer built off the wallplate exists to the rear. A single-storey pitched roof extension is situated to the north of the main house with various flat roof extensions and a conservatory projecting east. A pitched roof extension and conservatory are

situated along the south boundary with the adjoining flats. Vehicular access is situated adjacent to the north site boundary and serves the house, business and detached pitched roof workshop/outbuilding which is situated in the northeast corner of the site.

Residential properties are found to the north and south of the site with open land and glasshouses situated to the west of the road.

The site is located Outside of the Centres as designated in the Island Development Plan. The property is a pre-1900 building.

Relevant History:

PAPP/2002/1876 - Demolish outbuilding, erect pitched roof over flat roofed wing and alter premises to provide three residential units - granted

PAPP/2003/1545 - Vary works previously approved to demolish outbuilding, erect pitched roof over flat roofed wing and alter premises to provide three residential units – granted

FULL/2019/1466 - Remove existing storage containers and shed and erect replacement garage/workshop to east (rear) of property – granted

- The submission confirmed that the building would be used for domestic storage (boat, vehicles, motorhome)
- Informative note - For the avoidance of doubt, this decision permits the proposed garage/workshop to be used only for purposes incidental to the enjoyment of the dwelling house currently known as Permanance. Any use in connection with a trade or business would require a separate grant of planning permission.

FULL/2025/1265 - Demolish extensions and subdivide dwelling to create 2 dwellings with associated works, change of use of domestic workshop and associated land to storage (Use Class 22) and erect gate – refused

The application has not demonstrated to the satisfaction of the Development & Planning Authority that the outbuilding is no longer required or capable of being used for its current or last known purpose, as a domestic outbuilding associated with the existing dwelling on the site. The scheme is therefore contrary to OC3 d. and Policy GP16(A) a. of the Island Development Plan.

Existing Use(s):

01 dwellinghouse

Retail (Crab Cabin) – not operational

Brief Description of Development:

The application proposes the demolition of the single-storey flat roof extension situated to the rear of the property which currently houses the Crab Cabin and other small extension and to subdivide the existing dwelling to create two units of residential accommodation.

The main house would comprise a lounge, bedroom, kitchen, utility, WC and office and dayroom/dining room on the ground floor with two ensuite bedrooms and a family bathroom on the first floor and two further bedrooms within the roofspace. Externally this property would have a garden WC and cycle/store. Parking is proposed for four vehicles beyond the Wing and the detached outbuilding approved in 2019 is shown to be within the curtilage of the main house.

The second unit of accommodation, known as the Wing, would be single-storey and incorporates two bedrooms, a lounge/diner, bathroom, kitchen, utility and conservatory. Externally off-road parking for two vehicles is proposed to the immediate rear of the property along with a shed.

A new 1.8m high fence and gate is proposed to separate the wing from the shared driveway and to enclose the garden area.

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

Island Development Plan policies

OC1: Housing Outside of the Centres

OC4: Retail Outside of the Centres

GP8: Design

GP9: Sustainable Development

IP6: Transport infrastructure and support facilities

IP7: Private and Communal Car Parking

IP9: Highway Safety, Accessibility and Capacity

Cycle Parking Advice Note

Representations:

None.

Consultations:

Building Control - The subdivision of the dwelling to create two dwelling means that one of the dwellings is class as a new dwelling; Any services needs to be separated; The areas that need to be addressed are as below:-

Part H - the foul drainage to the new dwelling needs to be separated from the existing dwelling.

Part L1 - Thermal upgrade needs to be provided to the new dwelling in particular the walls, floor and roof; SAP/thermal calculations would be advantageous to determine the extent of the upgrade.

Part F & Part C - Adequate ventilation needs to be provided

Part J means of heating for the new dwelling should be separate

Part B - The bedrooms in the new dwelling will need to have escape windows.

Part B - Smoke detection system

Part B - FD30 fire door between the lobby/hallway and the kitchen area

Part E - Sound testing between dwelling

Summary of Issues:

The key issues in this case relate to the principle of the subdivision of the house to create two dwellings, the amenities of occupiers and neighbours of the development.

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.

Loss of retail

There is no record of permission having been sought or granted for a retail use to operate from the site however, this has been operational for a significant period and would now be immune from enforcement action. The Island Development Plan supports the change of use away from retail where the proposal accords with all other relevant policies in the Island Development Plan and so in this regard the scheme accords with Policy OC4.

Subdivision to create two dwellings

Policy OC1 makes provision for the creation of new dwellings where it is achieved through the subdivision of an existing dwelling and so this offers a gateway for the proposed subdivision of Permanance.

Given the surrounding uses and variety of properties that exist the proposed subdivision and formation of two units of residential accommodation would be compatible with the character and amenities of the surrounding area. The layout of the ground floor accommodation and proposed boundary fencing is such that the

privacy and amenities of the occupiers would be protected. The existing rear dormer in the main house has a large window that would overlook the roof of the extension to the rear of the Wing which should preserve the privacy and amenities of future occupiers using the external amenity space associated with the Wing.

Overall, the scheme offers a reasonable level of aspect/outlook for future occupiers with good internal space provision and access to external open space.

Given the mixed-use nature of the site at present the division of the house into two, plus the omission of the retail element from the site, will not result in the unacceptable intensification in the use of the access nor will the proposals result in an unacceptable increase in traffic on the local road network. The dwellings are each shown to be served by a shed/store which can be utilised for secure and covered cycle storage. The scheme therefore complies with Policies IP6, IP7 and IP9 of the IDP.

The detached building granted permission in 2019 has approval to be used as a domestic storage building (motorhome and boat storage) which would have been considered an incidental and ancillary domestic use for the owner/occupier of Permanance at the time of consideration. The building is shown to be retained as an ancillary domestic outbuilding associated with the main house Permanance and so there is no policy conflict in relation to the use of this outbuilding. It is reasonable to include an informative note highlighting the ancillary domestic use of the approved building and its use as such will not alter as a result of this permission.

In view of the above it is recommended permission is granted subject to conditions:

- Fencing
- Parking
- Cycle parking for 'Wing'

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; any possible fall-back position by way of extant planning permissions or exempt development; 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 adverse impact on protected trees, buildings or sites.

Date: 27/07/2026

