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: Demolish section of roadside wall to widen vehicle access to north boundary and erect bike store to west boundary.

LOCATION: Madeirina, Delancey Lane, St. Sampson.

APPLICANT: Emma Johns

I refer to the application referred to below received as valid on 20/07/2026 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 25/08/2026

Drawing Nos: Block Plan, Shed Specifications, Proposed Entrance Dimensions

Application Ref: FULL/2026/1152

Property Ref: B00574A003

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 proposed development, if permitted, would result in the removal of the entire roadside wall at Madeirina which would represent an unsightly gap and have a detrimental effect on the enclosure to Delancey Lane and on the character and visual amenity of the area. The development is therefore contrary to Policy GP8 a) and c) of the Island Development Plan.

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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2026/1152
Property Ref:	B00574A003
Valid date:	20/07/2026
Location:	Madeirina Delancey Lane St. Sampson Guernsey GY2 4BZ
Proposal:	Demolish section of roadside wall to widen vehicle access to north boundary and erect bike store to west boundary.
Applicant:	Emma Johns

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The proposed development, if permitted, would result in the removal of the entire roadside wall at Madeirina which would represent an unsightly gap and have a detrimental effect on the enclosure to Delancey Lane and on the character and visual amenity of the area. The development is therefore contrary to Policy GP8 a) and c) of the Island Development Plan.

OFFICER'S REPORT

Site Description:

Madeirina (formerly Burdeos), Delancey Lane is a mid-terrace property with an access road (no-through road) to the south. Various properties in the terrace have created an area for parking to the south. Generally, gardens to the north remain without vehicular accesses/parking spaces, with the exception of the end of terrace properties to the east and west and the previously approved 3.56m wide access at the application property.

The site is in the Main Centre Outer Area as designated in the Island Development Plan.

Relevant History:

FULL/2025/0681 - Demolish section of wall and pedestrian gate to create vehicle access and parking to north boundary – granted. Condition 5 – removal of exemption rights to widen the access to 4m.

Existing Use(s):

01 dwellinghouse

Brief Description of Development:

The application relates to the demolition of the remainder of the roadside wall to the north of the property, in Delancey Lane, to improve access and to construct a timber bike store adjacent to the west site boundary measuring 1.975m wide x 1.517mm high x 0.808m deep.

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

Island Development Plan:
GP8: Design
GP9: Sustainable Development
GP13: Householder development
IP6: Transport infrastructure and support facilities
IP9: Highway Safety, Accessibility and Capacity

Representations:

None.

Consultations:

None.

Summary of Issues:

The key issues in this case relates to the impact of the loss of the entire roadside boundary wall and the height of the bike store on the character and appearance of the locality and the effect of works on residential amenity.

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.

The condition attached to the 2025 permission states:

> *Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2023 (or any other Ordinance replacing or re-enacting that Ordinance), the vehicular access hereby approved shall not be widened beyond the 3.5m shown on the approved plans.*

Reason - Due to the limited site frontage width, the removal of a larger section of the roadside boundary may have an adverse visual impact. This condition is imposed to make sure that any proposals can be properly considered through a formal planning application.

This clearly highlights that the removal of any more of that boundary wall should be considered through a formal application process in order to assess the visual impact of the works.

When considering the previous application for the formation of an access to Delancey Lane it was acknowledged that to form an access in this roadside wall would alter the character of this part of the lane and that the IDP seeks to offer flexibility to householders making changes to their property.

The character of the lane does, however, remain one in which roadside boundary walls are the dominant feature. To permit the removal of the entirety of the wall at Madeirina would erode that character and could be perceived as setting a precedent for other properties in this terrace to remove the roadside walls to facilitate parking.

With the proposed bike shed in situ the widening of the vehicular access would not facilitate the provision of off-street parking for additional cars. It would, however, remove the roadside screening that would reduce the visual impact of the bike store or hardstanding within the frontage area. The submission explains that the works would improve pedestrian and vehicular access with the existing parking space becoming easier and safer to use. It is noted that Delancey Lane is narrow, c. 4m, but it is categorised as a neighbourhood road with light vehicle movements and speeds. This should afford the user of the existing vehicular access with the opportunity to manoeuvre into the space without impeding the free flow of traffic.

The sense of enclosure contributes to the character and appearance of the area and the scheme to remove the remainder of the roadside wall would not accord with Island Development Plan Policy GP8 a) design and c) respecting the character of the local built environment. The perceived highway safety benefits would not outweigh the harm that would be caused to the character of the locality.

Turning to the proposed bike shed, it is noted that an exemption currently exists for bike sheds/barns within the curtilage of dwellinghouses under Class 1(32). The exemption requires that the structure is detached, does not exceed 3 sqm in floor area, and is no more than 1.2m in height. The proposed shed meets all of these requirements, with the exception of its height, which at 1.5m exceeds the permitted maximum by 0.3m with a shallow pitched roof. It is likely therefore, that to the approximate height of the head of the doors would be within the limits of the exemption and so it is only the effect of the pitched roof (0.3m) that requires assessment against the relevant IDP policies. As such the proposed structure is not considered to be unduly visually obtrusive in the street scene nor will it result in unacceptable harm to the amenities of adjoining residential properties.

The application must be recommended for refusal however, due to the impact of the loss of the roadside wall in its entirety in this location.

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: 25/08/2026