

**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 agricultural land to domestic garden (928sqm) (site of protected building).

**LOCATION:** Albecq Farm, Retot Lane, Castel.

**APPLICANT:** Mr P Crowson

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:** 19/02/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/11/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** PF+A Ltd - 7487-06 B1 & B2A

**Application Ref:** FULL/2024/1920

**Property Ref:** D010930000

**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.The landscaping scheme hereby approved shall be planted and earthbanks constructed, as set out on drawing 7487-06 B2 A, by the end of this first planting season, April 2025. 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 biodiversity enhancement planting scheme is carried out in a suitable timeframe in order to accord with the Strategy for Nature supplementary planning guidance.

5.Prior to the agricultural land being first used as garden, the following information shall be submitted to and approved in writing by the Authority:

(a) A desktop study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Land Contamination Risk Management (LCRM) and BS10175:2001+A2:2017 - Investigation of Potentially Contaminated Sites - Code of Practice;

and unless otherwise agreed in writing by the Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;

and, unless otherwise agreed in writing by the Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent

person to oversee the implementation of the works.

(ii) If determined to be required the approved garden shall not be brought into first use until there has been submitted to the Authority verification by a competent person approved under the provisions of subsection (i)c of this condition that any remediation scheme required and approved under the provisions of subsection (i)c of this condition has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Authority in advance of implementation). Unless otherwise agreed in writing by the Authority such verification shall comprise:

- a) as built drawings of the implemented scheme;
- b) photographs of the remediation works in progress;
- c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under subsection (i) c. of this condition"".

Reason - to ensure that the hereby approved garden does not contain contaminated land, and therefore and does not pose a risk to the health of the future occupiers of the land.

**Expiry Date: This permission will cease to have effect on 19/02/2028 unless development is commenced by that date.**

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

If, works carried out on site, contamination not previously identified is found to be present at the site then no further development should be carried out and the applicant should contact the Office for Environmental Health and Pollution Regulation to establish what remediation works may be required.

Prior to planting of new species, it is strongly encouraged that you contact La Société Guernesiaise for further information on the most appropriate species to maximise biodiversity of the approved area of garden.

#### **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/2024/1920  
**Property Ref:** D010930000  
**Valid date:** 15/11/2024  
**Location:** Albecq Farm Retot Lane Castel Guernsey GY5 7EG  
**Proposal:** Change of use of agricultural land to domestic garden (928sqm) (site of protected building).  
  
**Applicant:** Mr P Crowson

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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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. The landscaping scheme hereby approved shall be planted and earthbanks constructed, as set out on drawing 7487-06 B2 A, by the end of this first planting season, April 2025. 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 biodiversity enhancement planting scheme is carried out in a suitable timeframe in order to accord with the Strategy for Nature supplementary planning guidance.

5. Prior to the agricultural land being first used as garden, the following information shall be submitted to and approved in writing by the Authority:

(a) A desktop study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Land Contamination Risk Management (LCRM) and BS10175:2001+A2:2017 - Investigation of Potentially Contaminated Sites - Code of Practice;

and unless otherwise agreed in writing by the Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;

and, unless otherwise agreed in writing by the Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) If determined to be required the approved garden shall not be brought into first use until there has been submitted to the Authority verification by a competent person approved under the provisions of subsection (i)c of this condition that any remediation scheme required and approved under the provisions of subsection (i)c of this condition has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Authority in advance of implementation). Unless otherwise agreed in writing by the Authority such verification shall comprise:

a) as built drawings of the implemented scheme;

b) photographs of the remediation works in progress;

c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under subsection (i) c. of this condition"".

Reason - to ensure that the hereby approved garden does not contain contaminated land, and therefore and does not pose a risk to the health of the future occupiers of the land.

## **INFORMATIVES**

If, works carried out on site, contamination not previously identified is found to be present at the site then no further development should be carried out and the applicant should contact the Office for Environmental Health and Pollution Regulation to establish what remediation works may be required.

Prior to planting of new species, it is strongly encouraged that you contact La Société Guernesiaise for further information on the most appropriate species to maximise biodiversity of the approved area of garden.

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## **OFFICER'S REPORT**

### **Site Description:**

The property known as 'Albecq Farm' comprises a 15<sup>th</sup> century farmhouse with 19<sup>th</sup> century barns attached at either end of the building. The property is a Protected Building. The dwelling faces onto Retot lane, with the road winding around the east gable of the property. The property is located Outside of the Centres as defined in the Island Development Plan.

Former glasshouses once stood to the rear of the property, located towards the western side of the plot. This area of land is recognised as agricultural land.

The domestic curtilage includes the farmhouse and wraps around the eastern side of the plot, parallel to the road (Retot). The former Army and Navy Stores located towards the north-west of the application site, falls under the same ownership.

A series of planning permissions have been granted to demolish the former Army and Navy Stores building and rebuild a new dwelling on the site, in the position shown on the proposed drawings as part of this application.

A new vehicle access and parking area was approved to the east of the site and subsequently implemented as part of application reference FULL/2021/2647.

Planning permission was also granted in 2023 (FULL/2023/1181) to erect a 1.5 storey detached garage/home office and hardstanding adjacent to the south boundary, amongst other works. This permission has also been implemented and has since been varied in accordance with permission FULL/2024/1511.

Permission has also been granted to extend and alter the farmhouse to the south at first floor level.

**Relevant History:**

Albecq Farm:

|                |                                                                                                                                                                                                                                                                                                                                                                                                                                |           |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| FULL/2024/1411 | Erect 1.5 storey detached garage/home office (site of Protected Building).                                                                                                                                                                                                                                                                                                                                                     | Granted   |
| FULL/2023/1181 | Erect 1.5 storey detached garage/home office and hardstanding to south boundary, and alter vehicle access to east boundary. (Protected Building)                                                                                                                                                                                                                                                                               | Granted   |
| FULL/2023/0221 | Demolish pig sties, erect 1.5 storey extension and erect wall and gate to south (rear) elevation. (Protected Building).                                                                                                                                                                                                                                                                                                        | Granted   |
| FULL/2022/2060 | Demolish pig sties, erect 1.5 storey extension and erect wall and gate to south (rear) elevation (Protected Building).                                                                                                                                                                                                                                                                                                         | Withdrawn |
| FULL/2021/2647 | Demolish extension and outbuilding, demolish and rebuild chimneys. Erect extension and rooflight to south (rear) elevation, raise lean-to roof and install rooflight to east (side) elevation, install rooflight to north (front) and west (side) elevation and internal alterations, create new vehicle access and parking area to east boundary and block up existing vehicle access to north boundary (Protected Building). | Granted   |

Former Army and Navy Stores, approved dwelling-house:

|                |                                                                                                                                                                                                                                                                                                                                       |         |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| FULL/2024/1511 | Variations to previously approved plans to demolish existing building and outbuilding, erect dwelling with associated works and erect shed to north boundary (revised scheme) - Relocate external staircase to west elevation (rescind Condition 4) and change external material finish to render to east, south and west elevations. | Granted |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|

|                |                                                                                                                                      |         |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------|---------|
| FULL/2024/0775 | Demolish existing building and outbuilding, erect dwelling with associated works and erect shed to north boundary, (revised scheme). | Granted |
| FULL/2023/2199 | Demolish existing building and section of outbuilding, erect dwelling with associated work and erect shed to north boundary.         | Refused |
| FULL/2023/0265 | Convert and alter building (Retail Use Class 10) to create dwelling (Residential Use Class 1).                                       | Granted |

**Existing Use(s):**

Land, subject of this application – Agriculture use class 28.  
Dwelling-house – residential use class 1.

**Brief Description of Development:**

Planning permission is sought to change the use of agricultural land to domestic garden. The land measures approximately 928sqm and will form part of the site on which the protected building sits.

The agent notes that the existing glasshouses occupying this area have been cleared and the applicant seeks to incorporate this area of agricultural land into the domestic curtilage of the main farmhouse.

The application was deferred following representations received on the original application in relation to proposed biodiversity proposals and land levels. Revised plans were received dealing with these two matters.

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

OC5(B): Agriculture Outside of the Centres – outside the Agriculture Priority Areas  
GP1: Landscape Character and Open Land  
GP5: Protected Buildings  
GP15: Creation and Extension of Curtilage

Strategy for Nature (2020) Supplementary Planning Guidance.

**Representations:**

The Authority has received a letter of representation from one party objecting to the original proposal. Grounds for objection principally relate to the following issues:-

- Piecemeal development.
- Future development without the need for planning permission, including the transfer of land.
- Setting of the protected building.
- Impact on landscape character.

- No justification for the proposal.
- Impact on neighbour amenity.

The Authority has received a letter of representation from one party objecting to the revised proposal. Grounds for objection principally relate to the following issues:-

- Sustained objections set out in original letter of representation.
- Biodiversity enhancements can be achieved without planning permission.

### **Consultations:**

#### **La Société Guernesiaise's comments:**

*"La Societe remains concerned over the reclassification of agricultural land to domestic curtilage. However, as the Island Development Plan currently permits the consideration of such applications, we seek to optimize ecological gains in such cases wherever possible.*

*We note that the application proposes a number of biodiversity measures, which we fully support. However the application includes some inaccuracies and also some missed opportunities to achieve more significance ecological gains; these are as follows -*

- 1. Holm Oak is mentioned as an indigenous species. However, this tree is native only as far north as SW France and is therefore non-native to the Channel Islands. It also has minimal wildlife value and we would therefore recommend the use of native alternatives.*
- 2. 'Willow' is mentioned as a native tree. However this is dependent on the species - the local willow is specifically Grey Willow. Guernsey is also within the native range of Goat Willow and both species are outstanding in terms of wildlife value. In contrast, cultivated willows tend to be from non-native species and have reduced wildlife value.*
- 3. Cherry Laurel is proposed as new hedging. This plant originates in SE Europe and is relatively poor for wildlife. We would therefore recommend the planting of a native alternative.*
- 4. The proposed bird boxes to be installed when the planted trees 'reach appropriate maturity' may not be fitted for many years. We would therefore recommend that alternative locations for bird and bat boxes be considered. For example, they could be incorporated into the proposed new garage building.*

*We wish to advise that La Societe would be able to assist with matters relating to biodiversity measures, for example to arrange surveys of the existing site and to provide suitable recommendations on how the land could be enhanced in terms of its ecological value by appropriate native planting and ongoing maintenance."*

The Office of Environmental Health and Pollution Regulation's comments:

*"I have reviewed the proposed plans for Albecq Farm which were received by email on 19<sup>th</sup> November 2024 and there are a number of issues of concern that I must raise. I have also reviewed the historic records and maps related to the site. These detail there have been cold greenhouses on the site and therefore I would have concerns for contamination from the horticultural/agricultural industry, specifically but not limited to pesticides and heavy metals. As such I believe the below contaminated land condition should be applied by the Planning Authority in full.*

**Potential Land Contamination:**

***Please note this is one condition with multiple sub-sections:***

- *(i) No development shall commence on site (including demolition and site works) until there has been submitted to and approved in writing by the Authority:*

*(a) A desktop study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Land Contamination Risk Management (LCRM) and BS10175:2001+A2:2017 - Investigation of Potentially Contaminated Sites - Code of Practice;*

***and unless otherwise agreed in writing by the Authority,***

*(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;*

***and, unless otherwise agreed in writing by the Authority,***

*(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.*

*(ii) If determined to be required the development hereby permitted shall not be occupied or brought into use until there has been submitted to the Authority verification by a competent person approved under the provisions of subsection (i)c of this condition that any remediation scheme required and approved under the provisions of subsection (i)c of this condition has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Authority in advance of implementation). Unless otherwise agreed in writing by the Authority such verification shall comprise:*

- a) as built drawings of the implemented scheme;*
- b) photographs of the remediation works in progress;*
- c) certificates demonstrating that imported and/or material left in situ is free from contamination.*

*Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under subsection (i) c. of this condition”*

### **Informatives/Advice Notes**

*With reference to condition X a desktop study shall be the very minimum standard accepted. Pending the results of the desktop study, the applicant may have to satisfy the requirements of criteria (b) and (c) of that condition, however, this will all be confirmed in writing.*

*The phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy.*

*The site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.*

*It is strongly recommended that in submitting details in accordance with the above condition that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.*

### **Discovery Strategy**

- If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.*

***I would be grateful if these issues are considered during the determination of this application.”***

### **Summary of Issues:**

- Whether the proposal would have any detrimental impact on the agricultural industry, landscape character, openness, or appearance of the surrounding area.*
- Whether the proposal would preserve the setting of the protected building.*

- Whether the proposal would have any detrimental impacts on the amenities of neighbouring properties.

**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 proposal would have any detrimental impact on the agricultural industry, landscape character, openness, or appearance of the surrounding area.**

Policy OC5 (B) (Agriculture Outside of the Centres – outside the Agriculture Priority Areas) states that *“Proposals for development which would result in the loss of an existing farmstead, agricultural buildings or land will be supported where the proposed new use accords with the other relevant policies of the Island Development Plan”*. Policies GP1 and GP15 are considered below.

The application site is not located within an Area of Biodiversity Importance or within an Agriculture Priority Area (APA) as defined in the Island Development Plan.

The application does not propose to remove any established boundary treatments. In fact, the proposal seeks to improve and reinforce existing boundary treatments, particularly along the south boundary.

Whilst the land parcel is visible from public vantage points along Retot Lane, the agricultural land is setback from the road and more importantly, is set behind the recognised domestic curtilage of the dwelling. Moreover, when taking into account the wider pattern of development from a spatial analysis perspective, the land parcel is bounded by residential development on all sides, and therefore there would be no reasonable grounds to resist the extension of domestic curtilage under Policy. The spatial pattern of development is noticeable from the street scene with built development visible in the backdrop of the agricultural land. Consequently, this negates the need to protect this area of agricultural land from being incorporated into the domestic curtilage associated with Albecq Farm given that the land does not positively contribute to a wider area of open land from a visual or spatial point of view, for the purposes of Policy GP1 and GP15.

Similarly, the limited size of agricultural land together with its limited relationship to a wider area of agricultural land means that there would be no practical use in safeguarding the land for active agricultural purpose.

Given the former horticultural use of the land and the potential for contaminated soil, it is necessary and reasonable to attach the Office of

Environmental Health and Pollution Regulation's comments as a planning condition.

There would be no requirement to restrict the exemption rights afforded to a householder to manage future development of the land when taking into account the layout of the existing recognised domestic curtilage which wraps around the north and east of the site, together with the approved applications. Any development that could be carried out under the exemption rights, on the proposed extension of curtilage, is unlikely to have a detrimental effect on both the landscape character and visual amenity, hence the reason not to restrict exemption rights.

Whilst it would be encouraged to remove the low granite walls which formed the footprint of the former glasshouses on site, it is not considered necessary or reasonable in this case to do so given the limited landscape character and visual benefit in the public realm.

The impact on the landscape character and open land has been considered under the provisions contained within Policy GP15. In summary, the change of use alone would not have a detrimental impact to the landscape character and open land, and the proposal would not result in the unacceptable loss of any specific distinctive features that contribute to the wider landscape character and local distinctiveness of the area. The development is compliant with Policy GP1.

The revised application has included biodiversity enhancements to take into account the Strategy for Nature (2020) Supplementary Planning Guidance of which includes a number of aspects such as new trees, hedges, bee hives, wildflower meadow, wetland area, bird boxes, bug hotels and a hedgebank. The provision of these biodiversity enhancements are welcomed in light of the Strategy for Nature and can be managed by planning condition.

Whether the proposal would preserve the setting of the protected building:

With regards to Policy GP5, the extension of domestic curtilage will not adversely affect the setting of the protected building when taking into account the distance of the proposed area of land to the dwelling, and that change of use of land in itself does not result in operational development which could affect the setting of a protected building.

Any development that has the potential to effect the setting of the protected building is likely to require a separate grant of planning permission and would be considered on its own merits and advertised accordingly.

Whether the proposal would have any detrimental impacts on the amenities of neighbouring properties:

When taking into account the height of the wall forming the west boundary of the site (approximately 2m high as shown on the revised plans), coupled with the proposed

planting scheme along the south boundary, and relationship and distances to neighbouring properties, the proposal is not considered to adversely affect the reasonable amenities of neighbouring residents for the purposes of Policy GP15, subject to an appropriate landscaping condition.

The use of the land as garden would not result in an unacceptable effect that would be reasonable to justify refusal.

Other matters:

The comments set out in the letter of representation have been carefully considered and where appropriate have been addressed above. Matters such as the transfer of land, are not material planning considerations as defined in The Land Planning and Development (General Provisions) Ordinance, 2007), and any planning permission that might be granted would be without prejudice to the normal legal rights and privileges of third parties.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

**Date:** 18/02/25

