

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 (4,255sqm), demolish extensions, demolish and rebuild chimney to south, erect 2-storey extension and single storey extension to east elevation, internal and fenestration alterations. Erect single storey carport/gym to south elevation of barn. Alter/widen and erect gates to vehicle access to west boundary and alter gated pedestrian access to south-west boundary. Install hardstanding, parking area, swimming pool and landscaping. (Protected Building).

LOCATION: Saints Farm, Icart Road, St. Martin.

APPLICANT: Mr J Orr & Mr J Gwilliam

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: 01/09/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 20/03/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: CCD Architects: proposed block plan - 21_A, 3879-B1-PL106-B, 107-B, PL-202-C, PL203-C, PL204-A, PL205 and 22_A
AM Section 1 and 2
Lower ground floor (vandex plan) dRs 20-05-2025
Biodiversity Statement by Environment Guernsey Ltd
(February 2025)

Application Ref: FULL/2025/0377

Property Ref: J011100000

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:
a) large scale drawings (1:20 elevations; 1:5 sections) of all new and replacement internal and external doors and windows
b) details of the extent and a specification of the replacement rainwater goods
c) a large-scale drawing of the fascia/parapet detail for the approved flat-roof extension
d) a large-scale drawing of the Juliet balcony rail detail
e) a large-scale (1:10) drawing of the replacement chimney
f) the external appearance of all new vents and extractors
shall be submitted to and agreed in writing by the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - To conserve the special interest of the protected building and character and appearance of the locality.

5. Prior to installation/construction of:
a) the glazed link, the means by which the link would be fixed to the stonework of the north elevation of the hall and south east corner of the main house
b) the flat-roofed extension, the means by which this would be fixed to the stonework

of the thatched hall

c) the new staircase, partitions and mezzanine, the way in which these would relate physically to existing walls and features in the thatched hall

d) the new roof lining in the thatched hall, the way in which this would relate physically to existing windows

shall be submitted to and agreed in writing by the Authority and the works shall be carried out only in accordance with the agreed details.

Reason - To conserve the special interest of the protected building.

6. Prior to the commencement of any work in connection therewith details of:

a) all new and replacement hard-surfacing as set out on the approved drawings

b) the revised position of the monolithic stone gatepost

c) the type, colour, texture and method of laying of stonework of the new wall to enclose the north courtyard

d) the timber gates

shall be submitted to and agreed in writing by the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - To conserve the special interest of the protected building and in the interests of visual amenity.

7. The stone flooring of the woodshed shall be lifted, set aside and re-laid over the new concrete floor in accordance with the CCD letter of 15th August 2025.

Reason - For the avoidance of doubt and to protect this element of the protected building.

8. All new and replacement leadwork shall be installed in accordance with Lead Sheet Association instructions.

Reason - All new and replacement leadwork shall be installed in accordance with Lead Sheet Association instructions.

9. The change of use of agricultural land to domestic garden hereby approved will not be considered to have been implemented by the Development & Planning Authority until the landscaping scheme as shown on drawing 21_A and contained in the Biodiversity Statement produced by Environment Guernsey and dated February 2025 has been fully completed. The approved landscaping scheme shall be fully completed in accordance with these details in the first planting season following the completion of the development or by 31st March 2029.

Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To ensure that the development provides adequate and appropriate biodiversity enhancements in line with the aims of the adopted Strategy for Nature, 2020.

Expiry Date: This permission will cease to have effect on 31/08/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment. It is possible that evidence of medieval or early post-medieval occupation may be uncovered during ground works on the site, in particular to the southeast of the medieval hall.

It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site.

The Archaeology team can be contacted on 01481 220729 or 01481 220722 , or mobiles 07781 102219 or 07911 721210 .

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/2025/0377
Property Ref: J011100000
Valid date: 20/03/2025
Location: Saints Farm Icart Road St. Martin Guernsey GY4 6
Proposal: Change of use of agricultural land to domestic garden (4,255sqm), demolish extensions, demolish and rebuild chimney to south, erect 2-storey extension and single storey extension to east elevation, internal and fenestration alterations. Erect single storey carport/gym to south elevation of barn. Alter/widen and erect gates to vehicle access to west boundary and alter gated pedestrian access to south-west boundary. Install hardstanding, parking area, swimming pool and landscaping. (Protected Building).

Applicant: Mr J Orr & Mr J Gwilliam

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.

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- a) large scale drawings (1:20 elevations; 1:5 sections) of all new and replacement internal and external doors and windows
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 - d) a large-scale drawing of the Juliet balcony rail detail
 - e) a large-scale (1:10) drawing of the replacement chimney
 - f) the external appearance of all new vents and extractors
- shall be submitted to and agreed in writing by the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - To conserve the special interest of the protected building and character and appearance of the locality.

5. Prior to installation/construction of:
- a) the glazed link, the means by which the link would be fixed to the stonework of the north elevation of the hall and south east corner of the main house
 - b) the flat-roofed extension, the means by which this would be fixed to the stonework of the thatched hall
 - c) the new staircase, partitions and mezzanine, the way in which these would relate physically to existing walls and features in the thatched hall
 - d) the new roof lining in the thatched hall, the way in which this would relate physically to existing windows
- shall be submitted to and agreed in writing by the Authority and the works shall be carried out only in accordance with the agreed details.

Reason - To conserve the special interest of the protected building.

6. Prior to the commencement of any work in connection therewith details of:
- a) all new and replacement hard-surfacing as set out on the approved drawings
 - b) the revised position of the monolithic stone gatepost
 - c) the type, colour, texture and method of laying of stonework of the new wall to enclose the north courtyard
 - d) the timber gates
- shall be submitted to and agreed in writing by the Authority. The works shall be carried out only in accordance with the agreed details.

Reason - To conserve the special interest of the protected building and in the interests of visual amenity.

7. The stone flooring of the woodshed shall be lifted, set aside and re-laid over the new concrete floor in accordance with the CCD letter of 15th August 2025.

Reason - For the avoidance of doubt and to protect this element of the protected building.

8. All new and replacement leadwork shall be installed in accordance with Lead Sheet Association instructions.

Reason - All new and replacement leadwork shall be installed in accordance with Lead Sheet Association instructions.

9. The change of use of agricultural land to domestic garden hereby approved will not be considered to have been implemented by the Development & Planning Authority until the landscaping scheme as shown on drawing 21_A and contained in the Biodiversity Statement produced by Environment Guernsey and dated February 2025 has been fully completed. The approved landscaping scheme shall be fully completed in accordance with these details in the first planting season following the completion of the development or by 31st March 2029.

Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To ensure that the development provides adequate and appropriate biodiversity enhancements in line with the aims of the adopted Strategy for Nature, 2020.

INFORMATIVES

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment. It is possible that evidence of medieval or early post-medieval occupation may be uncovered during ground works on the site, in particular to the southeast of the medieval hall.

It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site.

The Archaeology team can be contacted on 01481 220729 or 01481 220722 , or mobiles 07781 102219 or 07911 721210 .

OFFICER'S REPORT

Site Description:

The property known as 'Saints Farm' is an 18th century granite farmhouse which is located on the east side of Icart Road, the property faces south. To the north are neighbouring detached dwellings and to the west across the road is open agricultural land.

The site is located Outside the Centres and not within the Agriculture Priority Area as designated in the Island Development Plan. Saints Farm is a Protected Building. Land to the south and east is part of a Site of Special Significance.

Relevant History:

Curtilage defined by the Planning Service in February 2024.

Existing Use(s):

01 dwellinghouse
28 agriculture

Brief Description of Development:

The application relates to the change of use of an area of agricultural land to domestic garden measuring c. 4,255sqm and to works to Saints Farm and associated buildings comprising the demolition of existing extensions, the erection of single-storey and two-storey extensions, the demolition and rebuilding of a chimney stack on the thatched part of the property and alterations to fenestration. Internal alterations are also proposed along with the erection of a single-storey extension to the detached barn. The vehicular and pedestrian accesses are proposed to be altered with works proposed around the property including hardstanding/parking and swimming pool.

The application was deferred for clarification and further information in relation to the building to the south of the thatched barn and additional information and further drawings have been provided.

The application has been accompanied by a Planning Report (including a Heritage Impact Assessment, Biodiversity information and Waste Management Plan), Statement of Significance and Biodiversity Statement.

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

GP7: Archaeological Remains
GP8: Design
GP9: Sustainable Development
GP13: Householder Development
GP15: Creation and Extension of Curtilage

Strategy for Nature Supplementary Planning Guidance

Representations:

La Societe commented on the previous application (withdrawn) for the change of use of land and stated that they remain 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 whilst the application mentions the preservation of existing biodiversity, which we welcome, it does not appear to provide any specific measures to ensure there is a net ecological gain, as required under the Strategy for Nature.

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.

Consultations:

States Archaeologist - As evidenced in the documentation provided with the application, this farmhouse is of considerable historic interest. It is possible that further evidence of medieval or early post-Medieval occupation may be uncovered during groundworks on the site, in particular to the south-east of the medieval hall. If anything of archaeological interest is uncovered I would be grateful if the contractors could contact us, to allow any such features to be recorded.

Agriculture, Countryside and Land Management Services (commented on the withdrawn application) - note the commitment to provide a baseline ecological survey and proposals to enhance biodiversity, however until these documents have been provided it is not possible to determine whether the application can provide an enhancement in biodiversity. It has been highlighted separately that grasslands would not ordinarily be surveyed between October and April.

Also, given the close proximity to a Site of Special Significance and the presence of important ecological features (permanent grassland and mature trees), there is a potential for any alterations to the management of the land to lead to negative ecological impacts.

Summary of Issues:

The issues in this case relate to the effect of the works on the special interest of the protected building and the character and appearance of the locality in addition to matters regarding highway safety and the amenities of neighbouring occupiers. With regard to the change of use of land the issues relate to the principle of the proposals and the effect of the change of use of land on the landscape/landscape character concerned.

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.

Protected Building

Following the receipt of revised plans and further information the proposed works to Saints Farm represent a reasonable aspiration of the property owner that outweighs harm to special interest in accordance with Policy GP5. It is considered necessary to impose various planning conditions in connection with these works in order to preserve the special character and interest of the protected building.

Design and amenity

The extensions and other external works proposed represent a good standard of design when considering Policies GP8, GP9 and GP13 of the Island Development Plan. The proposals will not result in harm to the local built or open environment nor result in undue harm to the amenities of adjoining residential neighbours.

The works proposed will offer more flexible and adaptable accommodation, more accessible spaces around the buildings and offer adequate sunlight/daylight to internal accommodation. In addition, the proposals would improve the vehicular access, parking/turning arrangements where often vehicles have to reverse in/out of the site. The scheme will represent an improvement in terms of highway safety.

Change of use of agricultural land to domestic garden

The IDP sets out that there is support for the loss of an existing farmstead, agricultural building or land where the new use accords other relevant planning policies in the Island Development Plan. This provides a policy gateway for the change of use proposed.

The area of land is well associated with the existing dwelling and is not located within an Agriculture Priority Area. The outer boundaries of the site are clearly defined. On the whole, the surrounding land is in separate ownership to Saints Farm and the agricultural land that is the subject of this application, with only a single field, to the east, also falling within the ownership and control of Saints Farm. The application does not require any established boundary features to be removed in connection with the change of use of the land and the land is not identified as being situated within an Area of Biodiversity Importance.

The Island Development Plan recognises there is a balance between protecting open and agricultural land and other legitimate uses Outside of the Centres. The designation of the Agriculture Priority Area represents the Island's most valuable agricultural area. In this instance, given that the land is outside of the Agriculture Priority Area, the balance would not be towards protecting this land for agricultural purposes.

With regard to the impact on neighbouring properties, the proposal involves a change of use of an area of land to be included and managed as part of the residential curtilage and given the location of the land in relation to neighbouring residential properties and that adequate boundary screening separates the land from the neighbouring properties, the proposed change of use would not of itself have an adverse impact on or affect their amenities.

It is considered that the change of use would accord with Policy GP15 a)- e) and provided that the proposal accords with all other relevant policies of the IDP, the principle of change of use to domestic curtilage is considered to be acceptable in this particular location.

Given the established site boundaries the proposal would not undermine the wider landscape character or the openness of the area in accordance with Policy GP1.

As domestic garden normal householder exemption rights would apply and it is reasonable to consider whether it is necessary to remove any householder exemption rights in this case. In this case however, this is the site of a protected building where many exemption rights would not apply. It is therefore not considered necessary to remove exemption rights in this case.

The submitted Report notes that that site borders a Site of Special Significance highlighting the need for appropriate and non-invasive species with a commitment to enhancing biodiversity confirmed. It is noted that the site currently has a number of low to moderate value habitats but the proposed ecological enhancements would aim to retain and enhance existing features by establishing sustainable management practices with new native hedging and an orchard proposed along with two bat boxes attached to the buildings (location not specifically confirmed). The submission concludes that the measures would result in an increase in biodiversity across the site with a moderate to significant net ecological gain overall if appropriate management of the land is continued for the long term.

The Biodiversity Statement sets out that if the application is approved a number of specific biodiversity measures would be undertaken in order to enhance the ecological value of the land having regard to the Strategy for Nature SPG. Retained amenity grassland would be roped off and safeguarded during works and subsequently sympathetically maintained to encourage further colonisation and spread of native wildflowers and the Statement includes a maintenance regime. The submission refers to new native hedge planting (a random mix of four species) on the site boundaries (south and east) extending c. 155m but also native planting to be undertaken in the area of the pool. It is also indicated that invasive non-native species will be removed from the site and the Holm Oak is to be strictly controlled. In addition to the planting indicated log piles are proposed along with dedicated composting areas (not annotated on the drawings) with selective removal of non-native shrubs, works around the existing pond with native aquatic and marginal planting and planting of significant proportions of native trees, shrubs and herbaceous species in new landscaping proposals as part of a 'rewilding' process.

Reference is also made to a wildflower meadow habitat some of which would fall within the proposed curtilage and other areas on the retained agricultural land. The extended orchard planting would fall outside the proposed domestic garden area for the property.

Although areas of the existing site have limited biodiversity value there are various trees on the site at present and the scheme includes extensive native hedge planting, wildflower areas, bat boxes and the removal of non-native species from the site. Details of these proposals are set out in the Biodiversity Statement and although specific details have not been provided regarding the location of compost heaps/log piles overall the level of information and proposals are considered satisfactory to address the Strategy for Nature SPG. No further details are considered necessary by planning condition but the Biodiversity Statement and the measures outlined can be secured by condition.

It is also noted that the landscaping works etc. are likely to be tied to built development proposals that form this application. To require the landscaping to be undertaken within the first planting season following this approval (31/03/2026) could leave young plants susceptible to damage. It has been confirmed that the development proposals will be completed as a single project and not phased with an anticipated completion date provided. In view of this the change of use of agricultural land to domestic garden can be tied to the completion of built development and until that time, with the agreed landscaping scheme implemented in the planting season following the completion of works, which, based on the information provided, would be 31st March 2029. If the landscaping scheme is not undertaken the change of use of agricultural land to domestic garden will not be considered to have been implemented.

In view of the above it is recommended permission is granted.

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 or sites.

Date: 01/09/2025

