

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: Convert building to create dwelling, install hardstanding and associated works (site of a Protected Building).

LOCATION: Rocquaine Villa, Route Du Coudre, St. Pierre Du Bois.

APPLICANT: Mr M Cluett

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: 01/10/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 27/03/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 6484/A/4a.

Application Ref: FULL/2025/0411

Property Ref: F006820000

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 existing trees within the land parcel associated with the hereby approved dwelling as outlined in red on the block plan of drawing number 6484/A/4a shall be retained and shall not be felled, lopped, topped or uprooted without the previous written agreement of the Authority. Any trees removed, dying, being severely damaged or becoming seriously diseased shall be replaced with trees of such size and species as previously agreed in writing by the Authority within one year of the date of any such loss, for a period of five years from the date development begins.

Reason - The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

5.No development shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Authority:

- i) the treatment proposed for all ground surfaces, including hard areas;
- ii) full details of tree and hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants;
- iv) finished levels or contours;
- v) all existing trees, hedges and other landscape features, indicating clearly those to be removed.
- vi) a tree management plan setting out how the existing woodland is to be retained and maintained, including measures to be implemented during the construction phase to prevent damage to existing trees. Any measures to be implemented during the construction phase shall then be installed/undertaken prior to the commencement of works and in accordance with the agreed details.

Reason - In the interests of visual amenity.

6.The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition 5, in the first planting season following

the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. 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 - In the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 30/09/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

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/2025/0411
Property Ref: F006820000
Valid date: 27/03/2025
Location: Rocquaine Villa Route Du Coudre St. Pierre Du Bois Guernsey
GY7 9HX
Proposal: Convert building to create dwelling, install hardstanding and
associated works (site of a Protected Building).

Applicant: Mr M Cluett

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.

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Reason - In the interests of visual amenity.

6. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition 5, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. 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 - In the interests of visual amenity.

OFFICER'S REPORT

Site Description:

The site comprises of a traditional farmhouse to the north fronting onto Route du Coudre which has been subdivided into 3 dwellings, a small single storey outbuilding to the north and 2 large outbuildings to the south of the property, an area of

woodland to the rear (south) of the farmhouse and west of the large outbuildings and an area of agricultural land on higher ground to the south-west.

The whole of the farmhouse is a protected building. The site is located within an Agriculture Priority Area, an area of archaeological interest and is Outside of the Centres.

Relevant History:

None

Existing Use(s):

Residential use class 1

Brief Description of Development:

Planning permission is requested to convert an outbuilding to create a 1 bedroom dwelling and install hardstanding to create a driveway and parking area. The proposal includes the installation of solar panels to the west roof slope.

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

Policy OC1: Housing Outside of the Centres

Policy OC5(A): Agriculture Outside of the Centres – within the Agriculture Priority Areas

Policy GP1: Landscape Character and Open Land

Policy GP5: Protected Buildings

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP15: Creation and Extension of Curtilage

Policy GP16(A): Conversion of Redundant Buildings

Policy IP6: Transport Infrastructure and Support Facilities

Policy IP9: Highway Safety, Accessibility and Capacity

Representations:

None

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. The principle of residential conversion.

2. Whether the existing building is of sound and substantial construction and is capable of conversion without extensive alteration or rebuilding.
3. The impact on the amenities of neighbouring residents.
4. The impact of the development on the character and openness of the landscape.
5. Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings.

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).**

Policy OC1 provides scope for the conversion of existing redundant buildings to dwellings Outside of the Centres provided that specific criteria as set out in Policy GP16(A) are met.

The agent advises that the outbuilding was in situ when the Cluett family purchased the property in 1972; the outbuilding is a standalone former chalet which was used by family and friends and was subsequently used for maritime storage by the late Mr Cluett; and the 3 residential units within the main Farmhouse building have never used or need the storage space within this outbuilding. The application includes details of other storage space available to the dwellings.

Whilst the precise use and division of the site between the 3 existing units is unclear, it is acknowledged that there are other outbuildings and areas within the main building which could be used for storage purposes for the existing residential properties. Based on the information submitted, it is accepted that the outbuilding the subject of this application is no longer required for its last known purpose.

The structural report states that the building has proven to be resilient over a significant period. Adding dividing internal walls will enhance the structure's resilience. The remaining walls, floors and roof appear in suitable condition for a dwelling and the building appears to have been used as a residential use in the past given its access and services. The structural report concludes that The building has withstood the test of time and its current condition is still deemed structurally sound.

Together with the relatively minor extent of works proposed, including minor repairs to window glazing, isolated timber cladding repairs and replacing damaged pantiles, the information submitted is sufficient to demonstrate that the existing building is of sound and substantial construction and is capable of conversion without extensive alteration or rebuilding.

The existing building is not protected and the distance to and its relationship with the farmhouse (which is a protected building) would not result in any significant adverse effects on the setting of the protected building.

The existing building is not of either architectural or historic interest and is not considered to be a building of character that makes a positive contribution to the character and appearance of the area.

The proposed dwelling is set within an area of woodland which largely screens the building from public view and makes a positive contribution to the character and appearance of the area. The agent advises that the existing woodland is to be retained and managed and additional tree and hedge planting is to be undertaken, although it is unclear where such additional planting would occur. Although the application makes no reference to felling trees, there is the potential that the use of the building as a dwelling would result in the felling of some trees to enhance the light to and the outlook from the dwelling. Provided that any felling of trees is both limited and selective and the overall woodland landscape is retained, the proposed use of the building as a dwelling is unlikely to have any significant adverse effects on the character and appearance of the area. To ensure the retention of the existing woodland and to conserve the character of the area, it is recommended that no trees are removed without permission and a landscaping scheme is submitted which includes details of the management of the woodland.

No extension is proposed. Due to the distance to neighbouring residential properties, the proposal is unlikely to have any adverse effects on the amenities of the neighbouring residents.

The proposed dwelling is limited in size but it would exceed minimum internal space standards as set out under the Building Regulations for a one bedroom property for 2 people and it would meet the best practice minimum internal space standards for a one bedroom property for 1 person. The dwelling has the potential to receive adequate daylight and sunlight and would benefit from a generous provision of outdoor space and an attractive outlook, although it is noted that these elements will be affected by the woodland setting of the site. As a whole the proposed dwelling is likely to provide a satisfactory living environment.

The existing access is situated on a bend, it has limited sightlines and it is located in close proximity to a junction. However, as set out in the Traffic Engineering Guidelines for Guernsey, the highway is classified as a Neighbourhood and Country Road where the functional emphasis is primarily one of access to individual properties and provision for vulnerable road users. Due to the low traffic flows along Neighbourhood and Country Roads, the control of frontage activities is not important and a greatly relaxed regime of traffic management is permissible. In this case, due to the likely modest increase in the intensity of use of the access resulting from the change of use, the deficiencies noted with the access are unlikely to result in any significant additional adverse effects on road safety or traffic management. The onsite parking provision and bicycle storage is adequate.

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

It is recommended that the application is approved.

Date: 25/09/2025