

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 section of dwelling from Residential Use Class 1 to 2 self-catering cottages (Use Class 8). Raise, alter roof ridge height and extend at first floor level, alter chimney, repoint walls, internal and fenestration alterations (Protected Building).

LOCATION: Les Vardes Farm, Route De Port Grat, St. Sampson.

APPLICANT: Mr & Mrs P Stenner

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: 02/07/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 07/04/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: 2415/ 1, 2415/ 2, 2415/ 3

Application Ref: FULL/2025/0441

Property Ref: B019640000

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. Details (comprising of a specification or sample) of the clay pantiles to be used in the development shall be submitted to the Authority for its written agreement. Only those materials agreed in writing by the Authority shall be used in carrying out the development.

Reason - In the interests of visual amenity and the setting of surrounding protected buildings.

5. Prior to the commencement of any work in connection therewith large scale drawings (1:20 elevations; 1:5 sections) of all new and replacement external doors and windows shall be submitted for the written agreement of the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - To make sure that the completed development is sympathetic to the character and appearance of the adjoining protected building and the surrounding area.

6. Notwithstanding the details shown on the approved plans, prior to commencement of any work in connection therewith:

- a) details of the means by which the extended building would attach to the roof of the main house shall be submitted to and agreed in writing by the Authority; and
 - b) details of the proposed treatment of the change in level of the roofs between the two storey buildings shall be submitted to and agreed in writing by the Authority.
- The development shall be carried out only in accordance with the agreed details.

Reason - To make sure that the completed development is sympathetic to the character, appearance and special interest of the adjoining protected building and the surrounding area.

7. Prior to the commencement of any work in connection therewith specifications or samples for all new and replacement hard-surfacing and means by which the approved parking spaces will be delineated shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - To make sure that the completed development is sympathetic to the character, appearance and special interest of the adjoining protected building and the surrounding area.

8. Prior to the commencement of any work in connection therewith details relating to the means by which the windows of the main house shown on the approved plans as obscured will be obscure glazed, shall be submitted to and agreed in writing by the Authority. The obscure glazing shall be to a minimum of level 3 on the Pilkington scale (or equivalent). The works shall be carried out only in accordance with these agreed details, prior to the first occupation of either unit of visitor accommodation hereby approved and shall thereafter be retained at all times.

Reason - To preserve the special interest of the protected building and to minimise the effect of the development on the privacy and amenities of future occupiers of the visitor accommodation.

9. The ground floor staircase window and first floor landing window serving cottage 1 in the northeast elevation and first floor bathroom windows serving cottages 1 and 2 in the southwest elevation shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent) and shall be installed before the accommodation to which it serves is first brought into use. The obscure glazing shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

10. Prior to the commencement of any work in connection therewith, details of a privacy fence/screen (height, length and external finish) to be situated between the door serving cottage 2 and the dining room window serving cottage 1 in the southwest elevation of the development hereby approved shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - To afford users of the visitor accommodation hereby approved with a degree of privacy when utilising the courtyard/amenity space to the southwest of the site and in the interests of visual amenity and the setting of the adjoining protected building.

11. Prior to the first occupation of the visitor accommodation hereby approved the second floor windows of the main Les Vardes Farm (northwest elevation) shall be infilled using materials and finishes that match the rear wall of the main house.

Reason - In the interests of the amenities of future occupiers of the visitor accommodation hereby approved and the special interest of the protected building.

Expiry Date: This permission will cease to have effect on 01/07/2028 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/2025/0441
Property Ref: B019640000
Valid date: 07/04/2025
Location: Les Vardes Farm Route De Port Grat St. Sampson Guernsey GY2 4TB
Proposal: Change of use of section of dwelling from Residential Use Class 1 to 2 self-catering cottages (Use Class 8). Raise, alter roof ridge height and extend at first floor level, alter chimney, repoint walls, internal and fenestration alterations (Protected Building).
Applicant: Mr & Mrs P Stenner

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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Reason - In the interests of visual amenity and the setting of surrounding protected buildings.

5. Prior to the commencement of any work in connection therewith large scale drawings (1:20 elevations; 1:5 sections) of all new and replacement external doors and windows shall be submitted for the written agreement of the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - To make sure that the completed development is sympathetic to the character and appearance of the adjoining protected building and the surrounding area.

6. Notwithstanding the details shown on the approved plans, prior to commencement of any work in connection therewith:

a) details of the means by which the extended building would attach to the roof of the main house shall be submitted to and agreed in writing by the Authority; and

b) details of the proposed treatment of the change in level of the roofs between the two storey buildings shall be submitted to and agreed in writing by the Authority.

The development shall be carried out only in accordance with the agreed details.

Reason - To make sure that the completed development is sympathetic to the character, appearance and special interest of the adjoining protected building and the surrounding area.

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Reason - To preserve the special interest of the protected building and to minimise the effect of the development on the privacy and amenities of future occupiers of the visitor accommodation.

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Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

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Reason - To afford users of the visitor accommodation hereby approved with a degree of privacy when utilising the courtyard/amenity space to the southwest of the site and in the interests of visual amenity and the setting of the adjoining protected building.

11. Prior to the first occupation of the visitor accommodation hereby approved the second floor windows of the main Les Vardes Farm (northwest elevation) shall be infilled using materials and finishes that match the rear wall of the main house.

Reason - In the interests of the amenities of future occupiers of the visitor accommodation hereby approved and the special interest of the protected building.

OFFICER'S REPORT

Site Description:

The building forms part of a complex of buildings situated behind roadside frontage development to Route de Port Grat. The building that is the subject of this application is attached to the rear of the main house. It has a granite exterior and slate, pitched roof. A brick chimney stack exists to the end gable and a single-storey granite extension projects to the northwest although there is limited roof covering. A single-storey extension with render exterior also exists to the northwest of the granite buildings and a porch structure is situated to the northeast façade.

The site is located Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan. This part of the property, the west wing, is not a Protected Building.

The exterior of the house and the exterior of the outbuildings, attached to the house and detached, together with the circular trough, the monolithic gate posts, the roadside and garden walls are Protected. The south wing, the west wings and the lean-to glasshouse/shed and the glasshouse are excluded from the listing.

Relevant History:

CURT/2024/1137 - Definition of Curtilage

FULL/2024/1197 - Convert, replace roof and alter building to create dwelling and associated works, alter access and erect pedestrian and vehicle gates to south-west boundary (Part Retrospective) (Protected Building) – refused. Currently the subject of a planning appeal

FULL/2024/1499 - Demolish and rebuild chimneys, install replacement roof covering, demolish chimney, install replacement roof to extension to south-west elevation of main dwelling. Install replacement roof to north elevation of outbuilding (known as the dairy) to the north of the main house. Repair and repoint outbuildings and garden walls (Protected Building) (part retrospective) – granted

FULL/2024/1963 - Reconstruct wall and alter vehicle access to west boundary (Protected Building) - granted

Existing Use(s):

01 dwellinghouse
28 agriculture

Brief Description of Development:

The application relates to the change of use of the extension attached to the rear of Les Vardes Farm house to two units of self-catering accommodation (Use Class 8). In connection with the proposed change of use a first-floor extension is proposed to house the first floor element of proposed cottage 2. The roof of the building is also to be removed and reconstructed to remove the existing valley gutter between this building and the main house. This incorporates the replacement of an existing chimney stack. New and replacement windows are proposed along with the infilling of windows in the rear elevation of the main house. A communal courtyard is proposed to the southwest of the building for use by occupiers with an existing retaining wall to the higher ground beyond forming the southern edge of this space. A single parking space each is indicated to be provided in the yard area to the northeast. The existing single-storey porch to the north of the building is shown to be demolished.

A rudimentary Statement of Significance which repeats the Authority's assessment of the special interest of the complex of buildings has been submitted and determines that the area here proposed for alterations is less sensitive to change based on its not being protected, its having been altered over time and on its condition. The Statement does not attempt to apportion value to the setting of the wider complex of buildings beyond stating there to be an opportunity for enhancement.

It is noted that there exists a centre second floor window which is not shown on the drawings but would be infilled. The agent's letter refers to the proposed use of timber in new/replacement windows and doors but conflictingly the drawings annotate these as to be of PVCu.

The submission notes that the west wing seems to have been extended and altered at various times and not all of the changes made have enhanced the traditional character and special interest of the main house. The combination of these changes and its poor condition is considered, through the submission, as detracting from the setting of the main house and the wider protected building complex. The submission concludes that the west wing is less sensitive to change as a result and offers the opportunity to enhance the setting of the site through restoration and productive re-use.

With regard to Policy OC8(A) the submission outlines that the scheme complies with the requirements of this policy and addresses the scale of the proposed extensions and alterations explaining that raising the ridge and eaves over the existing two-storey element (cottage 1) will provide additional head room where accommodation is currently in the roofspace and address the vulnerable junction between the west wing and main house. The submission highlights that the roof of the lean-to extension has collapsed and is considered that it is visually and architecturally incongruous in the context of the main house and other traditional buildings. The first-floor extension proposed has been appropriately designed to step down so as to emphasise the decreasing scale and status of the west wing away from the main house. These extensions and alterations are viewed as being reasonable and appropriate to the character of the building complex. Reference is also made to applications in 2019 and 2023 drawing similarities between this and those cases.

The letter also seeks to address Policy GP9 and requests a minor departure from any aspect of the Island Development Plan if considered necessary.

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

OC8(A): Visitor Accommodation Outside of the Centres - New, Extension, Alteration or Redevelopment of Existing Uses

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

IP6: Transport infrastructure and support facilities

IP7: Private and Communal Car Parking
IP9: Highway Safety, Accessibility and Capacity

Representations:

None.

Consultations:

None.

Summary of Issues:

The key issues in this case relate to the principle of the proposed change of use from an ancillary domestic outbuilding to two units of self-catering accommodation, the effect on the protected building(s) (setting) and having regard to residential amenity, parking etc.

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.

Change of use to two self-catering units

Policy OC8(A) supports new visitor accommodation Outside of the Centres where it is created through the change of use of an existing building as is the case of the west wing at Les Vardes Farm.

It should be noted that the Spatial Policy (S1) is to concentrate the majority of new development in the Main Centres and the Main Centre Outer Areas to maintain the vitality of these areas, with provision for limited development in Local Centres to support and enhance them as sustainable settlements. Outside of the Centres development will be supported only in specific circumstances. S4 sets out that the IDP makes provision for certain types of development Outside of the Centres to protect and manage the built and natural environment whilst facilitating a viable rural economy and having regard to small business development and infrastructure.

It is also important to note that the individual policies or paragraphs of the IDP Written Statement should not be read in isolation or out of context and the IDP should be read as a whole including all relevant policies, preceding text, Annexes and the Proposals Map as well as reference to any relevant Supplementary Planning

Guidance published by the Authority (IDP paragraph 1.4.14). All proposals are expected to be consistent with the Plan Objectives relevant to the specific proposals.

The overarching policy direction is to enable reuse of existing buildings for an appropriate use (i.e. one for which the existing built form and location are suited) however, the existing building must be of a size, without extension, to serve the intended use as it stands.

Although the appeal relates to the conversion of a redundant building whereas the current scheme relates to the reuse of an existing domestic outbuilding there are conclusions drawn which are relevant here. Having regard to the Pomare planning appeal it is noted that in relation to an extension *“In the Tribunal’s view it is reasonable to assume that whether an extension is “modest” will depend on its scale relative to the size of the new unit; and that if its scale is such that a new building would effectively be created, the policy test would not be met ... [the Tribunal] do not consider that the extension taken alone would be of such a scale as to form a significant part of the new unit in proportional terms. Nor, despite the fact that the building would be altered in several other ways, do we consider that a new building would in effect be created by the addition of the extension”*.

It must first be considered whether the extension is modest in relation to the building proposed to be converted and subdivided into two units of visitor accommodation. The scheme proposes an extension which would equate to slightly more than a 20% increase in the floorspace of the existing building (excluding porch extension to be demolished) however, the percentage increase reduces to c. 20% when taking into account the floorspace of the porch.

In terms of the level of extension proposed to serve the unit in question, cottage 2, the existing accommodation for cottage 2, contained entirely on the ground floor, would be sufficient in size to house a unit of visitor accommodation without any extension.

On the above basis, it has been satisfactorily demonstrated that the proposed extension would not form a significant part of any new unit created given the fact that the two visitor accommodation units could be formed without any extension.

Protected buildings

Although the scheme primarily relates to the un-protected west wing this is attached to the main house, the exterior of which is Protected with works that directly affect this building, including minor works to the rear fenestration of the main house. Consideration must also be given to the setting of this and other protected buildings around the site.

The following are considered to represent the reasonable aspiration of the property owner that would outweigh harm to special interest in accordance with Policy GP5:

- Raise ridge & eaves of 2 storey element and replace chimney stack (entails cutting into roof & altering openings in rear of main house)
- Demolish 1960s/'70s lean-to
- Obscure glaze window(s) of main house that overlook communal courtyard
- Raise walls and ridge of single-storey element to form subservient two-storey element
- Fenestration alterations (material and configuration)
- Pave communal area in stone setts

In this instance, because the affected parts of the building are not Protected, the use of PVCu is acceptable subject to details to ensure appropriate appearance when considering the setting of other protected buildings and character of the site.

To replace the roof of the western lean-to with nature slate is a positive alteration.

The scheme, subject to conditions, complies with Policy GP5 of the Island Development Plan.

Design

The proposed extensions and other external alterations proposed to the west wing represent a good standard of design and with accommodation over two floors also represent efficient and effective use of the existing building and land. The proposals also respect the character of the local built environment whilst offering ground floor accommodation and external space that is accessible to people of all ages and abilities. The visitor accommodation would also allow for a sofa bed to be installed in the ground floor sitting room for ground floor sleeping, if needed, and the upper floors would be accessible to ambulant disabled. Overall therefore, the scheme accords with Policy GP8.

Amenity

The scheme considers the health and well-being of occupiers in terms of providing adequate daylight/sunlight, reasonable aspect/outlook and the accommodation would meet/exceed Part G of the Building Regulations for internal space provision. It is noted that some bedrooms are shown accommodating double beds but would not represent a double bedroom for the purposes of Building Control which does not recognise visitor accommodation as separate from residential accommodation for the purposes of Part G.

In terms of privacy for occupiers and neighbours of the development, the layout of accommodation, position of windows and use of obscure glazing where appropriate mean that the scheme would not result in unacceptable mutual overlooking and loss of privacy between the units, or between the cottages and other residential accommodation on the site in line with the aims of Policies GP8 and GP9 of the IDP

The shared courtyard is considered sufficient to meet the needs of occupiers of this visitor accommodation although a privacy screen outside the door of cottage 2 is reasonable to afford a degree of privacy in that area of the site.

Highway safety/Parking provision

The level of off-road parking provision as shown is considered satisfactory to serve this development and the proposed use will not result in an unacceptable intensification in the use of the existing vehicular access at the site. Although the scheme does not make specific provision for secure and covered cycle storage this could be accommodated (subject to permission) within the courtyard area and given that the proposal relates to visitor accommodation and not residential accommodation the lack of provision would not warrant the refusal of permission.

Other matters

It is proposed to re-point the stonework using a lime-based mortar. This is considered a Class 5 exemption which does not require planning permission. However, shot-blasting (rather than sand blasting) is proposed in connection with these works and has the potential to cause unnecessary damage.

Conclusions

In view of the above, the scheme accords with the requirements of the IDP and 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. The matter of Protected Buildings is considered in detail elsewhere in this report.

Date: 30/06/2025

