

**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:** Demolish existing dwelling, erect replacement dwelling, alterations to dovit and associated works (Protected Monument).

**LOCATION:** Les Merriennes, Les Merriennes, St. Martin.

**APPLICANT:** Mr A Baigent & Mrs E Baigent

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:** 23/04/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 28/03/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Turnstone Design - 410-10 P2, Honka - 01g, 02g, 03g & 05c

**Application Ref:** FULL/2025/0451

**Property Ref:** J004150000

**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.No development, including site works, shall begin on site until details of existing and proposed levels, including ground levels and the finished floor level of the existing and proposed dwelling, have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the details agreed under the terms of the above condition.

Reason - To make sure that the development is carried out in a way which is in character with its surroundings.

5.No development, including site works, shall begin on site until the Abreuvoir (protected monument) to the front of the dwelling is protected, full details of which shall be submitted to and agreed in writing by the Authority. The Abreuvoir shall be protected in the agreed manner for the duration of building operations on the application site. Within the area agreed to be protected, the granite stones that form part of the protected monument shall not be removed or damaged, and no materials shall be placed on the protected monument.

Reason - The abreuvoir is an important feature in the landscape and this condition is imposed to make sure that it is properly protected while building works take place on the site.

6.On completion of, or prior to the first use (whichever is the sooner) of the terrace area to the rear of the property hereby approved a 1.8m high timber fence shall be installed along the southern edge of the terrace as shown on the approved drawing. The fence shall be retained thereafter in perpetuity.

Reason - To ensure that the timber fence is appropriately installed in a timely manner to protect the amenities of neighbouring residents.

7.Full details of the timber cladding material hereby approved shall be submitted to and agreed in writing by the Authority. The agreed works shall thereafter be fully implemented.

Reason - to ensure the approved cladding material is acceptable in the interests of visual amenity.

8.The development hereby permitted shall be carried out in accordance with the Site Waste Management Plan submitted as part of this application, and no part of the development shall be occupied or brought into use until there has been submitted to the Authority a report providing verification that the development has been carried out fully in accordance with the agreed Site Waste Management Plan. Where there has been any variation from the Site Waste Management Plan as originally submitted, the report shall highlight and detail the reasons for this.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

**Expiry Date: This permission will cease to have effect on 22/04/2028 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](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/2025/0451  
**Property Ref:** J004150000  
**Valid date:** 28/03/2025  
**Location:** Les Merriennes Les Merriennes St. Martin Guernsey GY4 6NW  
**Proposal:** Demolish existing dwelling, erect replacement dwelling, alterations to douit and associated works (Protected Monument).  
  
**Applicant:** Mr A Baigent & Mrs E Baigent

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

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Reason - To ensure that the timber fence is appropriately installed in a timely manner to protect the amenities of neighbouring residents.

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Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

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**OFFICER’S REPORT**

**Site Description:**

The application site comprises a two storey mansard roof property located to the east of Les Merriennes. The building features an abreuvoir to the front of the building which is recognised as a protected monument.

Planning permission was granted in 2023 (FULL/2023/0463) to erect a raised terrace area, install Juliet dormer windows and a flue to north-east (rear) elevation, install cladding and external insulation and make alterations to the fenestration. The application also included the installation of a culvert and a granite retaining wall along the south-east boundary. As part of application FULL/2023/0463, the agent noted that the property has historically suffered from subsidence which has arisen by virtue of its close proximity to the stream to the south of the property. It is thought that the proposed culvert will help improve the stability of the bank, and in turn the property based on structural engineers advice.

Pre-application advice has been sought earlier this year (2025) in respect of demolishing and rebuilding the dwelling on a one-for-one basis (PREA/2024/2034).

**Relevant History:**

|                |                                                                                                                                                                                                                                                                                   |                         |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| PREA/2024/2034 | Demolish existing and erect new dwelling                                                                                                                                                                                                                                          | Pre-application enquiry |
| FULL/2023/0463 | Erect raised terrace area, install Juliet dormer windows and flue to north-east (rear) elevation, install cladding and external insulating render system and alterations to fenestration. Install culvert and granite retaining wall to south-east boundary (Protected Monument). | Granted                 |

**Existing Use(s):**

Residential

**Brief Description of Development:**

Planning is now sought to demolish and rebuild the dwelling. It is proposed to create a detached, 2 bedroom bungalow. The property will be finished in a slate roof, with a horizontal timber clad exterior, and painted window and door frames. The property will lead out onto a raised terrace area to the rear.

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

GP6 Protected Monuments  
GP8 Design  
GP9 Sustainable Development  
GP13 Householder Development

**Representations:**

None.

**Consultations:**

None.

**Summary of Issues:**

- Whether the principle of a replacement dwelling is acceptable.
- Design, scale, mass, form and materials of the development.
- The impact of the development on the character and appearance of the area.
- The impact of the development on neighbour amenity.

**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).**

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.

Whether the principle of a replacement dwelling is acceptable:

The principle of a replacement dwelling on a one-for-one basis Outside of the Centres is supported under Policy GP13.

Design of the development, and the impact of the development on the character and appearance of the area and neighbour amenity.

Policy GP8 and GP13 give a degree of flexibility to householder development with regards to the design of the proposed development in areas that are less sensitive to change. Whilst adjacent to a protected monument, the site is not a protected building, nor is it sited within a Conservation Area.

Whilst the dwelling contains a level of architectural merit and historic interest due to its age, the overall contribution to the character and appearance of the surrounding area is not particularly high to provide sufficient grounds for its retention. On this basis, the demolition of the building is acceptable.

The replacement building will be of a similar position and footprint to the existing house in terms of the ground floor, albeit will not provide first floor accommodation. Consequently, the position of the replacement building will be near the road to reflect the current relationship.

In terms of Policy GP8, the replacement dwelling is of a simplistic timber clad bungalow finished with a pitched slate roof. The surrounding area is comprised of a mix of building styles, periods and designs and the pitched roof bungalow will reflect the diverse range of building styles in the locality. Whilst the timber cladding is not commonly used on the surrounding properties, there is sufficient scope in Policy GP8 and GP13 to enable the homeowner to exert a degree of flexibility with regards to design matters. In this regard, the choice of materials is different to the immediate buildings in the area, although would not provide sufficient grounds to refuse the application.

Furthermore, the replacement dwelling does not adopt 1.5 storey or even a 2 storey design to maximise the most effective and efficient use of land, although the creation of a bungalow does enable flexible and adaptable living accommodation for individuals with mobility issues and therefore will be able to respond to the applicant's needs over time, if required. Consequently, the balancing effect of these two different aspects set out in Policy GP8 makes the application acceptable when viewed holistically. Moreover, due to its scale, the proposal will have a negligible effect on the impact on neighbour amenity, subject to appropriate conditions.

Overall, the design of the replacement dwelling is different to that of the original house and that found in the immediate locality, however the proposed scale, mass, form, siting and materials is such that it achieves a good standard of design for the purposes of Policy GP8, and would not result in undue harm to the character or appearance of the area.

Due to the protected status of the abreuvoir to the front of the building, it is reasonable to attach a condition to the decision to ensure that works during the construction phase of the development do not damage the protected monument.

All other aspects of the development are acceptable.

With regard to Policy GP9 (Sustainable Development), the agent has demonstrated that the proposed development will comply with Building (Guernsey) Regulations 2012 and therefore has taken into account the use of energy, resources and any adverse impact on the environment. The agent has also set out in their supporting Sustainability Report the benefits of using a pre-fabricated, solid timber construction dwelling which has been designed to work as a purely electric dwelling and therefore is considered to be sustainable under the aims and objectives of Policy GP9.

With regards to the Waste Management Plan, it is necessary to impose a condition to ensure that the Plan be continually monitored and updated as necessary to record the treatment/disposal of waste associated with the development.

There are no alterations to the roadside entrance as part of the scheme therefore highway safety and traffic management are not affected.

Based on the scale, siting and overall relationship to neighbouring properties, the resultant effect, is likely to be negligible when compared to the existing dwelling. However, it is considered necessary and reasonable to attach a planning condition to ensure the proposed terrace area does not result in overlooking towards neighbouring residents.

On this basis, the replacement dwelling is compliant with the relevant Island Development Plan policies.

**Date:** 22/04/25