

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND SECTION 19 OF THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

PROPOSALS: Convert and extend building to create a dwelling, change of use of agricultural land (1,000sqm) to domestic garden and associated works.

LOCATION: Eden Grove, La Grande Rue, St. Saviour.

APPLICANT: Mr J De Garis

I refer to the application referred to below received as valid on 11/06/2025 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 10/10/2025

Drawing Nos: Application Block Layout Plan, Site Location & Proposed Block plans, Proposed Edengrove new domestic curtilage, Edengrove proposed floorplan, Edengrove Proposed Extension Elevations and letter dated 7th May 2025

Application Ref: FULL/2025/0670

Property Ref: E008750000

The Development & Planning Authority has decided to refuse your application under the provisions of section 16 of the Land Planning and Development (Guernsey) Law, 2005 for the following reasons:-

1. The overarching principle of Policy OC7 is the removal of all glasshouses and ancillary structures to allow the land to return to agricultural use, and the application does not address this, seeking to retain all glass and structures. This means that the application is contrary to the general aims of Policy OC7 and iv) in particular by seeking to retain all structures.

OTHER REMARKS:-**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, against a decision to refuse an application for planning permission or outline planning permission to the Planning Tribunal on the merits. 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.

Copy of representations made

In reaching this decision the Development & Planning 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 to the Authority under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2025/0670
Property Ref: E008750000
Valid date: 11/06/2025
Location: Eden Grove La Grande Rue St. Saviour Guernsey GY7 9PW
Proposal: Convert and extend building to create a dwelling, change of use of agricultural land (1,000sqm) to domestic garden and associated works.
Applicant: Mr J De Garis

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The overarching principle of Policy OC7 is the removal of all glasshouses and ancillary structures to allow the land to return to agricultural use, and the application does not address this, seeking to retain all glass and structures. This means that the application is contrary to the general aims of Policy OC7 and iv) in particular by seeking to retain all structures.

OFFICER'S REPORT

Site Description:

Eden Grove, La Grande Rue is a detached dwelling set back from the road with a residential clos to the west, residential development to the northeast and on the opposite side of the road to the north. To the immediate south of the site is a vinery site with a single glasshouse and associated building along the south site boundary. Beyond that to the south is further residential development in Clos du Fillage.

The building that is the subject of this application has an exposed blockwork exterior with a door and gable window to the north elevation. The roof is covered in sheet asbestos.

The site is located Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan. It is also noted as a redundant glasshouse site.

The site is located within Escarpment Landscape Character area with valleys close by to the west/southwest and northeast. The escarpment forms the northern and western edges of the Upland Plateau (to the south). It acts as a physical division and a visual backdrop seen from lower ground throughout the north and west of the Island. At its crest long views extend over the lower parishes and coast to the sea. There are two sub-

zones: the West Coast Scarp and the Inland Scarp. Its position adjacent to the Upland Plateau indicates that this forms part of the Inland Scarp which is noted as having been affected by development although is still a strong landscape feature. The combined effect of garden and hedgerow trees gives the impression of woodland in this area from a distance.

Relevant History:

Historic aerial photographs indicate that glasshouses were situated to the west and south of Eden Grove, the house itself was constructed between 1938 and 1963. The glasshouses to the south were in situ in 1979 but the northern span had been largely removed by 1990 along with two of the five spans to the west. The glass was accessed via an access point, west of Eden Grove, directly from La Grande Rue. There was no apparent access from the domestic garden area of Eden Grove. The residential clos to the west was constructed between 1990 and 1996 which saw the remainder of the western span of glass cleared but an accessway to the last remaining span of glass (part of the subject application) was provide via the residential clos. Aerial photographs indicate that the remaining glasshouse has not been used for growing since c. 1990-1996.

The submission refers to planned residential development on the site following the completion of the clos and how the clos access arrangements would not be suitable for commercial agricultural use of the site. A review of the property file does indicate that the land that is the subject of this application had been included as part of land presented for residential development however, that proposal dates from 1989 and the Development Plan that was in place at the time has long since been superseded.

Existing Use(s):

01 dwellinghouse

28 agriculture

Brief Description of Development:

The application relates to the conversion of the existing building on the agricultural land to a unit of residential accommodation. The scheme comprises the existing outbuilding, to be extended in order to create a one-bedroom dwelling, with open plan living/dining room on the ground floor, a kitchen and shower room in the proposed extension and a bedroom within the roofspace. The proposal also seeks to retain the existing 200sqm glasshouse for domestic amenity with the vehicular access via Rue de la Ree to the west with a gravel drive along the north boundary leading to an area of parking. A hedge is proposed to the north of the retained glasshouse and along the north site boundary.

The application has been accompanied by supporting policy information, although pages are missing from this document the title/front pages highlight the missing page numbers.

In relation to OC7 the submission sets out the site is accessed through a residential road which is unsuitable for agricultural traffic but also that the site is surrounded by dense residential development on three sides and with a waterway to the east boundary incorporating significant level changes. It is considered a valuable asset and is an integral part of the property with environmental benefits aligning with sustainable planning principles and enhancing the well-being of occupiers (year-round therapeutic gardening space, natural light exposure, educational value for the family and amenity value – patio dining areas/swimming pools etc). The submission also seeks to highlight the historical, architectural and cultural significance of greenhouses in Guernsey (particularly flowers and tomatoes). Retaining the glass will allow the maximisation of food production at a domestic level which is particularly relevant when considering the global food crisis noting also that it has year-round benefits (extended growing season, food security, plant diversity).

The 1000sqm of land proposed to form the curtilage for the one-bedroom dwelling is put forward on the basis that the land cannot be practicably used for commercial agriculture without adverse environmental impacts. In relation to GP16(A) the submission outlines that although the site is within the APA there has been no commercial agricultural or horticultural activity on the site for at least 20 years and with no potential for future contribution as commercial agricultural land due to the surrounding development and disconnect with land to the east. The building is not required for and is not being used for its original agricultural purpose. It is also noted that the area of glass has been reduced over time as the commercial horticultural use of the site ceased, the current aluminium glasshouse occupies 20% of the site and is proposed to be retained to be used for domestic purposes. In relation to works proposed to the building this relates to insulation of the roof and ground floor internally with new external cladding for the blockwork walls. The first floor is proposed to be replaced, and lowered, in order to achieve the necessary head height at first floor level. New windows/doors are proposed along with the proposed single-storey flat roof extension.

In relation to sustainable development the submission argues that a minimal disturbance approach has been adopted with the effect of creating minimal waste and retaining the greenhouse which is in good condition and has a 20 year + live expectancy contributes to that because its removal would generate non-biodegradable waste for disposal. It is in excellent condition and nothing like the condition of glasshouses described in the SPG. The extension is indicated as using least impactful building techniques with internal materials reused where possible in connection with works to lower the first floor and with any materials leaving the site being assessed for recycling.

In relation to biodiversity the submission notes that there is plenty of opportunity to enhance the currently underutilised space with domestic amenity planting (400sqm available).

The submission has been accompanied by a Structural Report dated 23/07/2024 which notes that the packing shed appears to have been converted from some previous agricultural use e.g. small animal shelter. The Structural Report sets out that this structure has been in situ since the 1898 map, indicating that it could have been used as

a shelter for water pumps/or a water tank to irrigate the glasshouses. The submission notes that it has been covered and enlarged in connection with the replacement of the glasshouses between 1945 and 1963 and that the lower 1.2m section of walling on all four sides is granite (localised brickwork repairs) with a newer block wall and cut timber roof likely dating from the 1950s. The report confirms that the foundations have been inspected and that there is no evidence of structural movement meaning that they are sound. The report notes that the roof structure was not accessible due to the internal cladding but that the roof “appeared to be sound”. The floor is also considered to be in a sound condition without evidence of cracking but that it has not been possible, without further investigation, to identify whether the floor has been reinforced but it is deemed likely that it is unreinforced. To conclude, the report notes that the roof construction would represent an increase in overall weight (40kg/m² currently to c. 50kg/m² as proposed to allow for the additional insulation and new weather-tight finish). Localised timber repairs are highlighted as being likely to be necessary but overall, the existing timber and masonry structure is concluded as being capable of carrying the revised loading without extensive alteration or rebuilding. Reference is made to internal tanking and insulation of the existing masonry.

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

OC1	Housing Outside of the Centres
OC7	Redundant Glasshouse Sites
GP1	Landscape character and open land
GP8	Design
GP9	Sustainable development
GP15	Creation and extension of curtilage
GP16(A)	Conversion of redundant buildings
IP6	Transport infrastructure and support facilities
IP7	Private and communal car parking

Redundant Glasshouses SPG
Strategy for Nature SPG

Representations:

Four letters of representation have been submitted commenting on the application. One letter of representation is submitted on behalf of the occupiers of seven local properties. The letters raise the following comments:

- The retention of the glasshouse and the ancillary building are contrary to Policy OC7
- This is an APA site and the application and the submission does not demonstrate that the site could not contribute positively to the commercial agricultural use of the area
- The curtilage proposed is disproportionate to the size of dwelling proposed
- This is an unnecessary development
- The development will be detrimental to the area

- The building, in the very south-east corner of the site is far removed from being the most efficient and effective use of the land
- The development will create a very odd perspective visually in relation to its surroundings due to the proximity of the proposed small dwelling to the large glasshouse
- The cul-de-sac access is designed to serve the limited number of houses that exist and is unsuitable for construction traffic
- Additional traffic will result
- Concerns over potential future development of the site including use of glasshouse commercially
- The load capacity of the electricity supply to the Clos has not been assessed (particularly relevant with the trend for electric heating and cars)
- Impacts on the routing of the main drain in the Clos
- The building should be checked by an expert for the presence of bats
- The Biodiversity Net Gain proposals are lacking in detail
- Pages missing from documents published online
- The value of properties will be adversely affected

La Societe Guernesiais comment as follows:

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

Due to other commitments over recent weeks, we were unable to view this application during the 21 days and therefore cannot determine if any biodiversity measures were included or if they were adequate in relation to the scale of proposed curtilage extension.

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.

Further, we would like to highlight that buildings of this type can be used by roosting bats. This likelihood can increase when the property is located within a variable landscape with habitats such as farmland or woodland nearby. The Bailiwick Bat Survey has shown that there are bat populations in this particular part of the island.

We would recommend that the existing buildings, in particular the roofspaces, be inspected for current or recent use by bats by a suitably qualified person prior to any building works. This would reduce the risk of disturbing or destroying animals which are legally protected under the Animal Welfare Ordinance 2012.

We would request that, if this application is considered further, an informative note be added to the Information Sheet regarding the above.

Consultations:

Agriculture, Countryside and Land Management Services –This response is regarding the requirement to enhance biodiversity for change of use applications.

The application does not include an assessment of the existing biodiversity value of the site and so it is not possible to understand what biodiversity loss may result from the proposed development. However, some available datasets can help indicate whether there is likely to be a loss in biodiversity:

- The habitats on the site have not been surveyed in any of the island wide habitat surveys, however available aerial photographs indicate that the grassland has not been cultivated in recent years and so is likely to be 'permanent grassland'. This would be considered an important ecological feature.
- Images of the building also appear to show mature vegetation in close proximity, the clearance of which would also constitute a reduction in biodiversity value.

Given the potential loss of permanent grassland and mature vegetation, it is unlikely that the proposed landscaping scheme will be sufficient to result in an enhancement of biodiversity on site.

- It is recommended that, prior to determination, an ecological assessment is requested which: assesses the existing biodiversity value of the site,
- details the biodiversity which will be lost due to the development,
- makes recommendations for how that biodiversity loss can be offset, and;
- makes recommendations for additional measures which may further enhance biodiversity on site.

The ecological assessment should be undertaken by a suitably qualified ecologist. The results of the ecological assessment and any recommendations should be incorporated into a detailed landscaping scheme to ensure that biodiversity enhancement can be achieved.

It should also be noted that buildings of this type and construction have the potential to support nesting birds and roosting bats. It is recommended that a ground level roost assessment and breeding bird survey are undertaken by a suitably qualified ecologist ahead of any disturbance or building works on site to ensure that the works do not result in a breach of the Animal Welfare Ordinance (2012).

Office of Environmental Health and Pollution Regulation - There is an issue of concern regarding land contamination. Guernsey Historic Maps, Historic Orthophotos, and Cadastre Registry of Land have been interrogated which show there were once heated greenhouses at the site. There is consequently the potential for the land to be contaminated. A multiple sub-section planning condition is therefore recommended with associated informative notes.

Summary of Issues:

The key issues in this case are that no clearance work (of glass or ancillary structures) would be undertaken on this redundant glasshouse site, whether the site would, if cleared, contribute to wider open land, the principle of the conversion of the existing

building to a unit of residential accommodation, the condition of the building and extension proposed.

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.

Policy context

The Spatial Policy of the Island Development Plan (IDP), expressed through Policy S1 (Spatial Policy), 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...and to allow for development Outside of the Centres in identified specific circumstances, in accordance with the Strategic Land Use Plan (SLUP)".

The approach to development set out within the SLUP and the Spatial Policy of the IDP is reinforced through Policy S4 (Outside of the Centres) and the introduction to Part 3 of the IDP Policies for Outside of the Centres which, whilst acknowledging that the Plan makes provision for certain types of development Outside of the Centres, states that proposals for new housing will not generally be supported Outside of the Centres. The Plan does make some, limited provision for housing Outside of the Centres, through the subdivision of existing dwellings and the conversion and reuse of redundant buildings. The Spatial Policy also helps to protect the countryside from unacceptable forms of development in order to avoid unnecessary urbanisation of the Island's undeveloped areas (IDP paragraphs 15.1.4 and 15.1.11). The balance in terms of housing provision outside of the centres is to protect the physical environment and to ensure that the spatial strategy of the Plan is not undermined.

The IDP makes provision for necessary housing land within the Centres and does not allow for new build housing Outside of the Centres (with the exception of those developments permitted through Policy OC1: Housing Outside of the Centres). This approach follows the strategic requirement to focus housing within the Centres, and is also in recognition of the negative impact housing development can have on the landscape character Outside of the Centres. It is 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

Redundant glasshouse site

The Planning Law considers horticultural premises, including redundant glasshouse sites, and any ancillary structures to be agricultural land so, on clearance of the structures, the land is expected to revert to other non-horticultural types of agricultural use. Therefore there is a presumption that when a horticultural use ceases the site will be cleared of glasshouses and ancillary structures and returned to agricultural use.

Within the Island Development Plan a 'Redundant glasshouse site' means: 'a glasshouse or glasshouses together with ancillary structures and land where the glass and ancillary structures are no longer required or capable of being used for their authorised purpose.' There must be a clear indication that glasshouses are no longer required or capable of being used for their authorised purpose for the site to be considered a redundant glasshouse site and the purpose of the policy is to secure improvements in the physical appearance and quality of the landscape.

The condition of the glass is such that the greenhouse would technically be capable of being used for its authorised purpose although the development removed the original access to the last remaining glasshouse at Eden Grove but access is retained via the clos to the present day. It is clear however, in practice (from aerial photographs) that the active use of the glasshouse ceased at the time of the construction of the Clos. In this case a glasshouse superstructure is present on the site and is not being used for commercial horticulture. Therefore, this site qualifies as a redundant glasshouse site and Policy OC7 provides a gateway to consider development on this site.

The Planning Tribunal have considered the matter of redundant glasshouse sites at the ALP Flowers site appeal (PAP-010-2024):

Where the redundancy of the glasshouse site is demonstrated, Policy OC7 is engaged. The overarching purpose of this policy is to encourage the restoration of glasshouse sites through clearance of the redundant glasshouses, and achieve landscape and other benefits. This policy presents the issue of redundant glasshouse sites as a significant Island-wide matter.

The applicant for Eden Grove has made clear that the glasshouse is in good condition and the intention is that it will be retained for use in a domestic capacity, growing but also to enhance the amenities of future occupiers should they choose to use it as a conservatory/covered seating area or perhaps install a swimming pool as others have done.

This argument also echoes those presented in the ALP Flowers case, that to remove the glasshouse would be wasteful of valuable resources contrary to the IDP sustainable development objectives. Although the sustainability elements are noted, the direction of Policy OC7 is clear, that glasshouses should be removed from a site which is further facilitated by them being considered as temporary structures where their removal does not require planning permission.

Although the welfare benefits of gardening/growing have been noted through the submission these would be achieved on the site in general where gardening/growing could be undertaken and in a smaller, domestic scale greenhouse. At ALP Flowers the Tribunal concluded that "the wider aim of improving the Island's character and

appearance, and restoring agricultural land, carries greater weight than the protection of the unquantified resources embodied in the glasshouses”.

The proposal fails to comply with the overarching aim of Policy OC7 given the expectation that a site should be cleared of glass and ancillary structures and this application proposes to retain the entire glasshouse and the associated building. This is also contrary to criterion iv. which specifically refers to the clearance of glass and ancillary structures from a site.

Implications of *The Island Development Committee v Portholme* [2002]

In The Island Development Committee v Portholme [2002], the Court of Appeal held that “... if a plan allows for development only in certain identified circumstances, by necessary inference, development out with those circumstances is not to be allowed.”

Section 12(1) of The Land Planning and Development (General Provisions) Ordinance, 2007, is also clear that where the Authority has regard to any relevant Plan in determining an application for planning permission for development which would involve a departure from such a Plan then it must refuse the application (unless the applicant has requested that the application be considered as a minor departure), and it need not take into account any other matter to which it is required to have regard under the Law.

Given the identified conflict with OC7 regarding the retention of the glasshouse the only lawful decision that can be reached is that planning permission be refused.

Other Matters

Redundant glasshouse site continued

The site does sit within the Agriculture Priority Area but separated from the open and development land to the east by a douit/change in levels and to create a practical link to this adjoining open land would likely have adverse environmental impacts. Criterion a. is therefore met (OC7 a.).

This site is surrounded on three sides by residential development and there is a clear break between built and open development which forms the east site boundary. In this case therefore the site, once cleared of glasshouses and ancillary structures (e.g. packing shed), would not contribute to the wider open land and the conversion of the building and change of use of land would not have an unacceptable impact on the open landscape/landscape character of the area (OC7 b., GP16(A) f., GP15 a. and GP1).

There is provision for the conversion of redundant buildings through criterion f. Criteria c., e. g. and h. are not relevant in this case and as outlined below criteria d. and f. are satisfied. Consideration must also be given to the policy criteria i. – vi. which are also addressed below in relation to residential amenity, highway safety, efficient and effective use of land/visual amenity, soft landscaping and having consideration to all other relevant policies

Conversion of packing shed

The use of the site for commercial horticulture has long since ceased and building is clearly redundant for its purpose as a packing shed in connection with the commercial use of this site.

Policy OC1 of the Island Development Plan sets out in paragraph 16.1.16 that the relevant requirements of the Building (Guernsey) Regulations, 2012 and the practical guidance on those requirements will need to be taken into account in determining whether a proposed unit offers an adequate standard of accommodation. Although the drawings state that both the ground and first floors would be equal in size this does not take into account the restricted head height internally given that the first-floor accommodation would be within the roofspace. For planning purposes only the floor area with a minimum floor to ceiling height of 1.5m is considered. Nonetheless, the packing shed is of sufficient size to create a residential unit without extension there is no conflict with Policy OC1 in this regard.

Policy GP16(A) criterion g. permits only a modest extension to an existing building. The floorspace of the proposed extension in relation to the floor area of the original building (calculated using a floor to ceiling height of 1.5m) represents an increase of c. 27%. This is not modest in relation to the size of the building to be converted contrary to criterion g. Although the extension would house primary living accommodation, the building could accommodate a residential use without extension if the accommodation were laid out differently because the building exceeds 35sqm which is the minimum size set out in Part G of the GTS.

The T&G Structural Engineer's Report demonstrates that the floor and walls are capable of accommodating the proposed development without substantial works. Although the report refers to internal lining the drawings make provision for both internal and external lining. A new window is proposed to the west elevation along with the proposed extension to the north.

The drawings do not make reference to the roof construction and adjustments that may be required in connection with the change of use which are referred to in the Structural Report. So, it is not clear whether the roof structure will require strengthening or not as the timbers have not been inspected by a timber and damp specialist. Nonetheless, the wholesale replacement of the roof structure and covering is not proposed and there is scope in this case for the replacement roof covering only.

Criteria a. (redundancy), b. (residential use), c. (sound and substantial construction), f. (character and openness) and h. (residential amenity) of GP16(A) are met in this case and criteria d. and e. would not be relevant.

Change of use of agricultural land to domestic garden and biodiversity enhancement

The change of use of land to form domestic curtilage, addressed by OC7 d. and GP15 will impact on the character of the area but this does not mean that the proposed change of use of land is unacceptable and it is reasonable to ensure that future occupiers of the

development have access to external open space when considering the gateway policies of OC7 and GP16(A).

To divide the land to offer a smaller, more proportionate curtilage for this one bedroom dwelling would present challenges in terms of use for agricultural purposes and access to the residential unit in the furthest, southeast corner from the road access. Taking this into account therefore, on balance, the scheme complies with Policy GP16(A) and GP15.

New hedgerow and planting are proposed, matters that can be managed by planning condition however, based on the information submitted and the advice from ACLMS the proposal has not satisfactorily demonstrated that the proposal would offer biodiversity enhancements on the site as required by the Strategy for Nature SPG and in this regard the scheme would be unsatisfactory. By extension therefore, the scheme is not considered to satisfactorily address criterion v. of Policy OC7 which relates to soft landscaping to make a positive contribution to the visual quality of the area/mitigate impacts.

Amenity (visual and residential for occupiers and neighbours)

The proposed development, alterations and extension represent a good standard of design that is in keeping with the existing building, represents efficient use of land and an existing building and will not harm the built environment given the variety of residential properties in the local area. The works proposed will not result in harm to the character of the surrounding area nor result in harm to residential amenity in terms of overshadowing or overlooking and nor will the change of use of land itself have an adverse impact on residential amenity.

The accommodation is satisfactory in terms of internal space provision, aspect, outlook, sunlight/daylight, privacy and access to external space. The scheme also offers flexible and accessible accommodation.

Policies OC7 i., iii., and v., GP15 e., GP16(A) h., GP8 (d., f. and g.) and GP9 b. would therefore be met.

The comments raised by Environmental Health are noted and would be included as conditions should permission have been granted.

Traffic, parking and cycle parking provision

The development for a single unit of residential accommodation will not unreasonably intensify the use of the road or junction (having regard to the current unrestricted agricultural/horticultural use of the site) nor add unduly to traffic on the local road network (IP9). Although comments and concerns have been raised regarding construction traffic access and nuisance these are not matters that could prevent the grant of planning permission.

The scheme makes satisfactory provision for vehicle parking (IP7) but does not offer secure/covered cycle parking (IP6). The glasshouse is not considered to satisfactorily

address this requirement but if the scheme were acceptable in all other respects the application could have been deferred or the matter addressed by planning condition.

Sustainable Development

The introduction of a gravel driveway along the entire north boundary and an area of parking/turning is considered generous in relation sustainable development and the aims of Policy GP9. This arrangement is driven both by the position of the building and the retention of the glasshouse on site. On balance, the driveway and parking is not so excessive to warrant the refusal of permission. The scheme incorporates replacement windows and internal insulation measures taking into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

Other matters raised through public consultation

The matter of development potential for further residential properties have been noted however this site would not currently be supported for further residential development having regard to the restrictions associated with Policies OC1 and GP16(A) of the IDP. Any future application would need to be assessed against the Development Plan and relevant policies in place at that time.

The value of properties is not a material planning consideration that can be considered in determination of this application.

Conclusions

The scheme fails primarily due to the retention of the entire glasshouse as set out in this submission which, despite the information contained in the submission, would not comply with Policy OC7 nor represent a minor departure from this aspect of the policy.

The scheme would have also failed on other grounds, including the matter of modest extension and the Strategy for Nature, ensuring enhancements to biodiversity on this site.

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; however, having regard to the Guernsey Court of Appeal judgement in *The Island Development Committee v Portholme* [2002] (Civil 320) these have been given limited further consideration in this case.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 09/10/2025

