

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 and extend building to create dwelling, change of use of agricultural land to domestic garden (500sqm) and associated works.

LOCATION: Westwood, La Rue Au Cammu, Rue Des Grons, St. Martin.

APPLICANT: Dr & Mrs Barker

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: 19/09/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/05/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Architecture Limited - 21-1357-P6 PD/01B, PD/02, 3D/01 & Structural Report.

Application Ref: FULL/2025/0782

Property Ref: J010810000

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. (i) The change of use of the land, nor the commencement of development on site (including demolition and site works) hereby approved shall not be implemented until there has been submitted to and approved in writing by the Authority:

(a) A desktop study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Land Contamination Risk Management (LCRM) and BS10175:2001+A2:2017 - Investigation of Potentially Contaminated Sites - Code of Practice;

and unless otherwise agreed in writing by the Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;

and, unless otherwise agreed in writing by the Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) If determined to be required the development hereby permitted shall not be occupied or brought into use until there has been submitted to the Authority verification by a competent person approved under the provisions of subsection (i)c of this condition that any remediation scheme required and approved under the provisions of subsection (i)c of this condition has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Authority in advance of implementation). Unless otherwise agreed in writing by

the Authority such verification shall comprise:

- a) as built drawings of the implemented scheme;
- b) photographs of the remediation works in progress;
- c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under subsection (i) c. of this condition.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety.

5. Prior to the change of use of agricultural land to domestic land being brought into first use, all ancillary horticultural structures and remnants as shown on drawing no. 21-1357-P6 PD/02, shall be removed from the site in their entirety.

Reason - To ensure clearance of ancillary horticultural structures and remnants to improve the landscape character, openness and quality of the land.

6. No development, including site works, shall begin on site until each tree shown to be retained on the approved plan, as indicated on drawing 21-1357-P6 PD/02, has been protected, in a manner previously agreed in writing by the Authority. Each tree shall be protected in the agreed manner for the duration of building operations on the application site. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

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.

7. (a) Prior to the domestic curtilage being brought into first use, full details of all proposed planting as shown on drawing Ref: 21-1357-P6 PD/02, including the species, size and density of plants at the time of planting, shall be submitted to and agreed in writing by the Authority.

(b) The plants shall be planted in accordance with the details agreed under the terms of criterion (a) above, by the end of the first planting season following the domestic curtilage being brought into first use. 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 - The condition is required to ensure that full details of the planting are provided to ensure that the completed development is satisfactory, provide biodiversity enhancements in accordance with the Strategy for Nature SPG and is carried out within a reasonable timeframe.

8. There shall be no occupation of the dwelling until the bicycle store has been constructed in accordance with drawing 21-1357-P6 PD/02.

Reason - This condition is imposed to make sure that the cycle storage is constructed to offer occupiers of the dwelling the opportunity to travel by alternative modes of transport in the interests of sustainability.

9. There shall be no occupation of the dwelling until the electric vehicle charging point hereby approved has been installed and made operational in accordance with drawing PD/02.

Reason - In the interests of sustainable development.

10. Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2023 (or any other Ordinance replacing or re-enacting that Ordinance), no outbuilding, garage, glasshouse, walls or fences that constitute exempt development within Class 1 of the Land Planning and Development (Exemptions) Ordinance, 2023, shall be erected or constructed as exempt development within the approved domestic curtilage to which this permission relates.

Reason - The carrying out of development of this type may cause harm visual access to open land and the landscape character of the area.

11. The existing trees along the north and east boundary of the application site, located within the approved domestic curtilage, as indicated on drawing 21-1357-P6 PD/02 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.

Reason - The trees are important features in the area which will help to screen the development from public vantage points along Rue Au Cammu.

Expiry Date: This permission will cease to have effect on 18/09/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

With reference to Condition 4 a desktop study shall be the very minimum standard accepted. Pending the results of the desktop study, the applicant may have to satisfy the requirements of criteria (b) and (c) of that condition, however, this will all be confirmed in writing.

The phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy.

The site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

It is strongly recommended that in submitting details in accordance with the above condition that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing building may be used by bats or other wildlife for roosting and nesting. It is recommended that the site is inspected by a suitably qualified person prior to any building works. It is recommended that you contact La Société Guernesaise for advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg.

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/2025/0782
Property Ref: J010810000
Valid date: 22/05/2025
Location: Westwood La Rue Au Cammu Rue Des Grons Rue Des Grons
St. Martin Guernsey GY4 6JR
Proposal: Convert and extend building to create dwelling, change of use
of agricultural land to domestic garden (500sqm) and
associated works.
Applicant: Dr & Mrs Barker

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.

4. (i) The change of use of the land, nor the commencement of development on site (including demolition and site works) hereby approved shall not be implemented until

there has been submitted to and approved in writing by the Authority:

(a) A desktop study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Land Contamination Risk Management (LCRM) and BS10175:2001+A2:2017 - Investigation of Potentially Contaminated Sites - Code of Practice;

and unless otherwise agreed in writing by the Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;

and, unless otherwise agreed in writing by the Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) If determined to be required the development hereby permitted shall not be occupied or brought into use until there has been submitted to the Authority verification by a competent person approved under the provisions of subsection (i)c of this condition that any remediation scheme required and approved under the provisions of subsection (i)c of this condition has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Authority in advance of implementation). Unless otherwise agreed in writing by the Authority such verification shall comprise:

a) as built drawings of the implemented scheme;

b) photographs of the remediation works in progress;

c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under subsection (i) c. of this condition.

Reason - To make sure that the site, when developed is free from contamination, in the interests of public health and safety.

5. Prior to the change of use of agricultural land to domestic land being brought into first use, all ancillary horticultural structures and remnants as shown on drawing no. 21-1357-P6 PD/02, shall be removed from the site in their entirety.

Reason - To ensure clearance of ancillary horticultural structures and remnants to

improve the landscape character, openness and quality of the land.

6. No development, including site works, shall begin on site until each tree shown to be retained on the approved plan, as indicated on drawing 21-1357-P6 PD/02, has been protected, in a manner previously agreed in writing by the Authority. Each tree shall be protected in the agreed manner for the duration of building operations on the application site. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

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.

7. (a) Prior to the domestic curtilage being brought into first use, full details of all proposed planting as shown on drawing Ref: 21-1357-P6 PD/02, including the species, size and density of plants at the time of planting, shall be submitted to and agreed in writing by the Authority.

(b) The plants shall be planted in accordance with the details agreed under the terms of criterion (a) above, by the end of the first planting season following the domestic curtilage being brought into first use. 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 - The condition is required to ensure that full details of the planting are provided to ensure that the completed development is satisfactory, provide biodiversity enhancements in accordance with the Strategy for Nature SPG and is carried out within a reasonable timeframe.

8. There shall be no occupation of the dwelling until the bicycle store has been constructed in accordance with drawing 21-1357-P6 PD/02.

Reason - This condition is imposed to make sure that the cycle storage is constructed to offer occupiers of the dwelling the opportunity to travel by alternative modes of transport in the interests of sustainability.

9. There shall be no occupation of the dwelling until the electric vehicle charging point hereby approved has been installed and made operational in accordance with drawing PD/02.

Reason - In the interests of sustainable development.

10. Notwithstanding the provisions of the Land Planning and Development

(Exemptions) Ordinance, 2023 (or any other Ordinance replacing or re-enacting that Ordinance), no outbuilding, garage, glasshouse, walls or fences that constitute exempt development within Class 1 of the Land Planning and Development (Exemptions) Ordinance, 2023, shall be erected or constructed as exempt development within the approved domestic curtilage to which this permission relates.

Reason - The carrying out of development of this type may cause harm visual access to open land and the landscape character of the area.

11. The existing trees along the north and east boundary of the application site, located within the approved domestic curtilage, as indicated on drawing 21-1357-P6 PD/02 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.

Reason - The trees are important features in the area which will help to screen the development from public vantage points along Rue Au Cammu.

INFORMATIVES

With reference to Condition 4 a desktop study shall be the very minimum standard accepted. Pending the results of the desktop study, the applicant may have to satisfy the requirements of criteria (b) and (c) of that condition, however, this will all be confirmed in writing.

The phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy.

The site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

It is strongly recommended that in submitting details in accordance with the above condition that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing building may be used by bats or other wildlife for roosting and nesting. It is recommended that the site is inspected by a suitably qualified person prior to any building works. It is recommended that you contact La Société Guernesiale for advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg.

OFFICER'S REPORT

Site Description:

The application site lies to the south of Rue Des Grons. Rue Au Camu branches south off Rue Des Grons which enables vehicular access to a number of properties, which then reduces in width to form a pedestrianised path which wraps around the east of the application site.

The site is located Outside of the Centres as designated in the Island Development Plan. The application site is not within an Agriculture Priority Area.

Rue Au Camu enables vehicular access to the former vinery site (the subject of this application), as well as the dwelling-house 'Westwood', glasshouses to the south (under separate ownership), and the neighbouring property to the west known as 'Catoosa'.

The red line site boundary in this case refers only to the area of land on which the existing packing shed exists and includes proposed area of domestic curtilage for the proposed dwelling-house, located to the south.

The remainder of the site within the applicant's ownership is outlined in blue on the location plan. Structures associated with the former vinery site lie within the centre, and to the south of the site. The agent's letter notes that remnants such as the small water tower will remain in situ.

The glasshouses to the south of the site are not shown to be in the applicant's ownership.

Planning permission was granted in 2024 (FULL/2024/0752) to extend the domestic curtilage to encompass an area to the north of the dwelling equating to 4,740sqm. The permission included pre-commencement conditions which have to-date have not been discharged. Consequently, the permission has not yet been implemented.

For the avoidance of doubt, while the site was once covered by glass, the site is not considered a redundant glasshouse site for the purposes of Policy OC7 or Supplementary Planning Guidance – 'Defining Redundant Glasshouse Sites'. It is also noted that a large span of glass exists to the west of the existing dwelling-house, this is under separate ownership, and therefore falls outside of the scope of this application.

Relevant History:

FULL/2024/0752	Change of use from agricultural land to domestic garden (4,740 sqm) (Revised Scheme)	Granted
----------------	--	---------

Existing Use(s):

Agricultural – Use class 28 agriculture.

Glasshouses were cleared from the majority of the site sometime between 2001 and 2004.

Brief Description of Development:

Planning permission is sought to convert an existing agricultural building to a dwelling-house (Residential Use Class 1).

The new property will consist of a 1 bedroom dwelling, and features an open plan lounge/diner and kitchen, shower room and storage.

A small, single-storey flat roof extension is located to the south of the existing building which will be used as a covered entrance/porch to the property.

A new flue is proposed to be installed in connection with a wood burning stove to the main living space.

Existing fenestration to the east and west elevations is shown to be retained for use in connection with the development, with three of the 5 window openings being modified to take into account the proposed single storey extension.

The drawings show parking provision for one car to the side of the building, and a timber shed is proposed within the garden area of the property to provide secure and sheltered bicycle storage.

The drawings show works around the site in connection with the proposed change of use, including the reconfiguration of an access track, the creation of parking provision, and provision of landscaping, having regard to the Strategy for Nature SPG.

The agent's letter of 1st May 2025 states that:

"..the building is of a good volume (150.8m3) and of incredibly sound construction, formed with solid blockwork walls and is blessed with several apertures on the west and southern gable meaning no new openings would be required to facilitate a conversion. The corrugated metal roof is to remain structurally undisturbed however it is proposed to be coated and encapsulated to adhere to thermal and fire compliance. The timber cladding is part of the character of the building and as such, it is proposed to be sanded down, treated, and weatherproofed to preserve its integrity. The total floor area of the existing building is 31.6sqm and would be capable of conversion without the need for an extension. A level threshold and accessible sanitary provision can be facilitated with the conversion."

Confirmation has been received that the proposed development has been designed to take into account matters of energy efficiency and current Building Regulations in

accordance with Policy GP9. The drawings show the provision of an EV charging point.

The application was deferred to request additional information, and to seek the removal of redundant glasshouse remnants in order to have a positive impact and fulfil the requirements and direction of Policy GP15 to ensure that the landscape character, openness and soil quality is improved via this particular development to meet strategic objectives, otherwise removal of redundant glasshouses and their ancillary structures/remnants is otherwise unlikely to occur without there being some benefit to the landowner.

The agent has included the removal of some of the redundant glasshouse remnants on the land, although has sought to justify the retention of others.

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

Island Development Plan policies:

OC1: Housing Outside of the Centres.

OC5(B): Agriculture Outside of the Centres – outside of the Agriculture Priority Areas

GP1: Landscape Character and Open Land

GP8: Design

GP9 Sustainable Development

GP15: Creation and Extension of Curtilage

GP16(A) Conversion of Redundant Buildings

IP7 Private and communal parking

IP9 Highway Safety, Accessibility and Capacity

Strategy for Nature - Supplementary Planning Guidance (2020).

Representations:

The Authority has received representations from two parties objecting and making comment on the application. Grounds for objection and general comment principally relate to the following issues:-

- Impact on neighbour amenity.
- Issues with supply of electrics and drainage to the proposed dwelling.
- Landscaping to the north and east of the site to remain.
- Unnecessary installation of a first floor window serving a storage area.
- No biodiversity net gain for 500sqm of change of use of agricultural land to domestic curtilage.
- Consideration for the presence of bats within the roof space.

Consultations:

Office of Environmental Health and Pollution Regulation's comments:

"I have reviewed the proposed plans to convert and extend the above property which were received by email on 2nd June 2025, apologies for the delay in responding. Given the former use of the site and having regard to the proposed domestic end use I would recommend that a phased contaminated land condition is attached to the consent.

Please note this is one condition with multiple sub-sections:

- *(i) No development shall commence on site (including demolition and site works) until there has been submitted to and approved in writing by the Authority:*

(a) A desktop study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Land Contamination Risk Management (LCRM) and BS10175:2001+A2:2017 -Investigation of Potentially Contaminated Sites - Code of Practice;

and unless otherwise agreed in writing by the Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;

and, unless otherwise agreed in writing by the Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) If determined to be required the development hereby permitted shall not be occupied or brought into use until there has been submitted to the Authority verification by a competent person approved under the provisions of subsection (i)c of this condition that any remediation scheme required and approved under the provisions of subsection (i)c of this condition has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Authority in advance of implementation). Unless otherwise agreed in writing by the Authority such verification shall comprise:

- a) as built drawings of the implemented scheme;*
- b) photographs of the remediation works in progress;*
- c) certificates demonstrating that imported and/or material left in situ is free from contamination.*

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under subsection (i) c. of this condition"

Informatives/Advice Notes

With reference to condition X a desktop study shall be the very minimum standard accepted. Pending the results of the desktop study, the applicant may have to satisfy the requirements of criteria (b) and (c) of that condition, however, this will all be confirmed in writing.

The phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy.

The site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

It is strongly recommended that in submitting details in accordance with the above condition that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.

I would be grateful if these issues are considered during the determination of this application."

Summary of Issues:

- Whether the principle of residential conversion is supported under Policy OC1 and GP16(A).
- Whether the principle of the proposed change of use is supported under Policy GP15.
- The design of the proposed dwelling and the future living environment of occupier(s).
- Whether the impact of the development on the character and appearance of the area is acceptable.
- Whether the proposal would have any detrimental impacts on the amenities afforded to the occupiers of neighbouring properties.

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.

Whether the principle of residential conversion is supported under Policy OC1 and GP16(A).

Policy OC1 (Housing Outside of the Centres) states:

“proposals for the creation of new dwellings will only be supported where this is achieved through the subdivision of an existing dwelling or the conversion of an existing redundant building...Proposals for the conversion of redundant buildings to dwellings will be considered under Policies GP16(A): Conversion of Redundant Buildings...”.

Given that the proposal seeks to create new habitable accommodation through conversion of an existing redundant building the principle of the development is compliant with Policy OC1. The detailed design of the conversion is assessed below under Policy GP16(A).

Policy GP16 (A) (Conversion of Redundant Buildings) states that *“The conversion of an existing building will be supported where:*

- a. it is demonstrated that the building is no longer required or capable of being used for its current or last known purpose; and,*

The building in question consists of a former packing shed which once served the former horticultural use of the site. The glasshouses, under the ownership of the applicant, have since been cleared from the site, and therefore the structure is clearly redundant and it has been satisfactorily demonstrated that it is no longer required or capable of being used for its current or last known purpose, in accordance with part a) of GP16 (A).

- b. the conversion will result in the establishment of either residential, social and community, industrial, storage and distribution, convenience retail in coastal locations in accordance with Policy OC4, visitor accommodation or office use or provide facilities for outdoor formal recreation or informal leisure and recreation uses; and,*

The conversion will result in the establishment of a residential property in accordance with part b) of GP16 (A).

- c. the existing building is of sound and substantial construction and is capable of conversion without extensive alteration or rebuilding; and,*

The application has been supported by a Structural Engineer's Report. The report concludes that the building is of sound and substantial construction and is capable of conversion without extensive alteration or rebuilding and this conclusion is accepted.

- d. the proposals would have no adverse impacts on the special interest of a protected building and that such interest is appropriately and proportionately preserved and, where possible, enhanced; and,*

The building in question is not a protected building, nor would the conversion affect the setting of a protected building.

- e. the proposals would have no unacceptable impacts on the contribution a building of character makes to the character and appearance of the area; and,*

The building is not considered to make a positive contribution to the character or appearance of the surrounding area.

- f. the conversion and any ancillary development associated with it can be implemented without having any unacceptable adverse impacts on the character and openness of the landscape; and,*

With regards to the effect on the landscape character and openness of the area, it was set out in the officer's report as part of application FULL/2024/0752 that:

"The site is not within an Area of Biodiversity Importance or an Agriculture Priority Area, no existing boundaries are proposed to be removed and the use of the land for domestic purposes is unlikely to have any significant adverse effects on neighbouring residents.

The site is located within the South Eastern Plateau landscape character area as identified in Annex V of the Island Development Plan. The general character of the South Eastern Plateau is described as being "of established development interspersed with open fields and large mature gardens, all with a complementary cover of garden, hedgerow and roadside trees. Ribbon development has an impact in some areas, although the overall character of much of the area remains intrinsically rural".

The land the subject of this application forms part of a larger area of agricultural/ undeveloped land which extends to the west and south and provides a break between development around Saints Road to the east and Rue Des Marettes to the west. By virtue of the well-established vegetation along the north and east boundaries of the site, the land the subject of this application is not currently visually prominent from the public footpath Rue Au Cammu. In addition, due to its relationship with the existing dwelling to the south-east and neighbouring properties to the north and east, the land the subject of this application could be argued to appear relatively well associated with existing built development, as opposed to forming a significant part of the larger area of agricultural/ undeveloped land to the west and south. Provided that the open and undeveloped nature of the land is retained, the change of use of the land would result in a large mature garden which would not be out of character with the general landscape character of the South Eastern Plateau and the proposal is unlikely to have a significant adverse effect on the landscape character of the area, in accordance with Policies GP15 and GP1."

As alluded to above in the officer's report (as part of application FULL/2024/0752) that *"Provided that the open and undeveloped nature of the land is retained, the change of use of the land would result in a large mature garden which would not be out of character with the general landscape character of the South Eastern Plateau and the proposal is unlikely to have a significant adverse effect on the landscape character of the area, in accordance with Policies GP15 and GP1."* In this regard, it is considered that the conversion of the packing shed together with the closely related parking area and shed is confined and restricted towards the northern part of the site which follows the spatial pattern of development in and around Rue Au Cammu.

The existing mature vegetation along the north and east boundary of the site will also help to screen the development in public view and therefore is not considered to have an unacceptable impact on the character and openness of the landscape when viewed in context with the existing characteristics of the site. For this reason, it is necessary and reasonable to attach a planning condition to the decision to ensure that the trees to the north and east of the proposed dwelling-house, located within the proposed domestic curtilage, are retained and are not lopped or topped or felled, without the agreement of the Authority.

However, towards the south of the proposed domestic curtilage, the potential for the site's contribution to visual access to open undeveloped land increases. Whilst it is recognised that the existing vegetation coverage to the west of Rue Au Cammu is fairly dense, the degree of screening could change overtime, and together with certain types of development permitted under the Exemptions Ordinance (2023), this could have a detrimental effect on the visual access to open land and landscape character.

It is therefore considered necessary and reasonable in this case to remove the exemption rights for certain types of development which could otherwise be carried out under the Land Planning and Development (Exemptions) Ordinance, 2023 within the proposed curtilage, with particular emphasis on the southern part of the proposed domestic curtilage as this could have a potential adverse effect on the landscape character and openness of the land. For example, erecting an outbuilding, garage, glasshouse or walls and fences, has the potential to interrupt views towards open and undeveloped land beyond from Rue Au Cammu, particularly if the existing boundary treatment coverage changes, dies or become diseased. Consequently, these development rights should be restricted in the interests of openness and landscape character.

With regards to design, the limited alterations proposed together with the materials adopted, will be sympathetic to and respect the landscape character and openness of the surrounding area.

Overall, the proposal accords with part f) of GP16(A).

- g. the conversion would not require more than modest extension to the existing building for it to be achieved; and,*

The conversion includes an extension to the south elevation of the packing shed, comprising 6.2sqm. The extension is regarded as forming a 'modest' extension to the existing building for the purposes of Policy GP16 (g). The total floor area of the structure, including the extension, equates to 37.8sqm.

- h. the proposal would have no unacceptable adverse impacts on the amenities and enjoyment of neighbouring properties and the surrounding area.*

Despite the concerns raised in the representations received, the proposed dwelling-house will not have a detrimental impact on the amenities of neighbouring residents in terms of overlooking, overshadowing, noise, disturbance or emissions, particularly when taking into account the distance and relationship to neighbouring properties, coupled with mature boundary treatment.

The proposal accords with part h) of GP16 (A).

Whether the principle of the proposed change of use is supported under Policy GP15.

The change of use of land has already been considered and assessed as part of application FULL/2024/0752 which included a larger area of agricultural land equating to approximately 4,740sqm. Subject to appropriate conditions with regards to protecting existing landscaping and removing certain exemption rights, the development will have a limited effect on the landscape character and openness of the surrounding area.

With regards to Policy GP15, Paragraph 19.6.5, states that:

"However, in some cases, the creation or extension of a curtilage can have a positive impact and meet strategic objectives through the removal of redundant or derelict glasshouses and/or associated structures or the improved management of abandoned areas of land (see Policy OC7: Redundant Glasshouse Sites Outside of the Centres). The removal of redundant glasshouses is otherwise unlikely to occur without there being some benefit to the landowner."

An opportunity arises to remove redundant glasshouse remnants in order for the development to have a positive impact and fulfil the requirements and direction of Policy GP15 to ensure that the quality of the landscape and openness is improved via this particular development to meet strategic objectives. Policy GP15 recognises that their removal is unlikely to occur without there being some benefit to the landowner. In this case, a reasonable argument has been made to remove some remnants and retain others such as the water tank which is still in operation.

With regards to this particular application, the proposed development includes a landscaping scheme which will demarcate the proposed boundaries to the south and west of the proposed dwelling, interspersed with native tree planting. Subject to full details of the landscaping scheme i.e. number, sizes and density of plants, the proposed landscaping scheme takes into account the Strategy for Nature (2020), and provides proportionate biodiversity enhancements for the proposed extension of curtilage.

Whether the design of the proposed dwelling and the future living environment of occupier(s)

The proposal represents a modest sized extension to the packing shed. When viewed comprehensively, the overall dwelling achieves a good standard of design by virtue of its scale, form, massing, siting and materials. The proposal is compliant with Policy GP8 (Design), and will achieve a satisfactory internal and external living environment for future occupiers.

Provision has been made for secure bicycle provision.

The agent has provided sufficient details confirming that the proposal will comply with the Building Regulations, especially in relation to thermal efficiency of the insulation and fenestration.

Whether the impact of the development on the character and appearance of the area is acceptable.

The conversion of the existing packing shed, together with the natural level of domestication typically associated with a house, will naturally alter the character and appearance of the locality. Although the degree of change would be limited when taking into account the design and layout of the dwelling, coupled with the existing mature boundary treatment along the north and east boundary of the site which restricts views into the site.

In addition, the siting of the dwelling is such that the parking area and immediate area of garden to the south of the dwelling would be sufficiently set back from the pathway which runs along the north and east of the site.

The overall siting of the development is considered acceptable as the majority of development in this localised area is concentrated in and around Rue Au Cammu, with Greylands Vinery to the west and other residential properties to the east. The proposed development would follow this development pattern.

Whether the proposal would have any detrimental impacts on the amenities afforded to the occupiers of neighbouring properties.

Despite representation from a neighbouring resident, the proposed development is not considered to have a significant detrimental effect on the amenities of

neighbouring residents, taking into account the design of the new dwelling, layout of fenestration, distance and relationship to neighbouring properties and existing mature landscaping along the north and east boundary.

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.

The representations submitted have been carefully considered as part of this application, and where appropriate, have been addressed above. An informative regarding roosting bats should be attached to this decision.

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: 18/09/2025

