

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 extensions, convert ground floor retail and 1st floor flat to 2 dwellings, erect building containing 3 dwellings to east of site, alter roadside boundary wall and associated works.

LOCATION: Le Bourg, La Rue Des Croisee, Forest.

APPLICANT: Mr & Mrs Marsh

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: 13/10/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/05/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JG Architecture Ltd: 2456/02.01B, 02C, 03, 04B, 05C, 06C & 07A.
JG Architecture Ltd: letter dated 21/05/2025
Tree Dimensions Landscape Design dated 26/08/2025

Application Ref: FULL/2025/0857

Property Ref: H004880000

Conditions and reasons:-

1.All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2.The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3.The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4.The 1.8m high screen to the east elevation of the balcony of unit 5 shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times.

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

5.The new boundary wall and the alterations to the existing boundary wall along the north roadside boundary shall be constructed in stone to match as closely as possible the type, colour, texture, method of bonding and pointing of the existing north roadside boundary wall.

Reason - In the interests of visual amenity and to conserve the character and appearance of the Conservation Area.

6.The landscaping scheme shall be fully completed, in accordance with drawing number 2456/02.07A and the Tree Dimensions Landscape design dated 26/08/2025, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - In the interests of visual amenity and biodiversity.

7.No dwelling shall be occupied until the bicycle store has been completed and made available for use and the western end of the yellow line has been amended in

accordance with drawing number 2456/02.01B.

Reason - To encourage the use of bicycles as an alternative to the car.

8. The solar panels shall not be installed until details have been submitted to and agreed in writing by the Authority. No dwelling shall be occupied until the solar panels and all other sustainable design features set out in the Sustainable Development statement of the letter dated 21/05/2025 have been installed/completed and made operational.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9.

Expiry Date: This permission will cease to have effect on 12/10/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment.

It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site.

The Archaeology team can be contacted on 01481 220729 or 01481 220722, or mobiles 07781 102219 or 07911 721210.

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/2025/0857
Property Ref: H004880000
Valid date: 23/05/2025
Location: Le Bourg La Rue Des Croisee Forest Guernsey GY8 0BE
Proposal: Demolish extensions, convert ground floor retail and 1st floor flat to 2 dwellings, erect building containing 3 dwellings to east of site, alter roadside boundary wall and associated works.

Applicant: Mr & Mrs Marsh

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. The 1.8m high screen to the east elevation of the balcony of unit 5 shall be glazed with obscure glass to a minimum of level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times.

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

5. The new boundary wall and the alterations to the existing boundary wall along the north roadside boundary shall be constructed in stone to match as closely as possible the type, colour, texture, method of bonding and pointing of the existing north roadside boundary wall.

Reason - In the interests of visual amenity and to conserve the character and appearance of the Conservation Area.

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Reason - In the interests of visual amenity and biodiversity.

7. No dwelling shall be occupied until the bicycle store has been completed and made available for use and the western end of the yellow line has been amended in accordance with drawing number 2456/02.01B.

Reason - To encourage the use of bicycles as an alternative to the car.

8. The solar panels shall not be installed until details have been submitted to and agreed in writing by the Authority. No dwelling shall be occupied until the solar panels and all other sustainable design features set out in the Sustainable Development statement of the letter dated 21/05/2025 have been installed/completed and made operational.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9.

INFORMATIVES

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII

on Archaeological Assessment.

It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site.

The Archaeology team can be contacted on 01481 220729 or 01481 220722, or mobiles 07781 102219 or 07911 721210.

OFFICER'S REPORT

Site Description:

The site comprises of a traditional two storey pitched roof building with a later single storey extension to the east. The site is within the Forest Local Centre, the Forest Church Conservation Area and is within an area of archaeological interest.

Relevant History:

PREA/2025/0464 – Pre-application enquiry for the change of use and convert existing building into two residential units and erect new block of 3 residential units.

Existing Use(s):

Retail
Residential

Brief Description of Development:

Planning permission is requested to demolish single storey extensions and outbuilding, convert building to 2 dwellings, erect a two storey pitched roof building containing 3 dwellings to the east of the site and alterations to the roadside boundary wall. The proposal involves the creation of one, 1 bedroom flat, one, 2 bedroom flat and three, 2 bedroom dwelling houses. The building is proposed to be finished with rendered walls, timber fenestration and a natural slate roof.

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

Policy LC2: Housing in Local Centres
Policy GP1: Landscape Character and Open Land
Policy GP4: Conservation Areas
Policy GP8: Design
Policy GP9: Sustainable Development
Policy IP6: Transport infrastructure and support facilities
Policy IP7: Private and Communal Car Parking
Policy IP9: Highway Safety, Accessibility and Capacity

Representations:

Four representations were received in response to the original application, main points as follows:

- Impact on the amenities of neighbouring properties including loss of privacy and impact on outlook.
- Impact on the character and appearance of the Conservation Area due to the loss of hedges and the construction of a bike store to the east boundary and the removal of all trees and the construction of the new building.
- Concerns raised about the proposed alterations to the yellow lines and the impact on road safety and the ability to access neighbouring properties. One representation recommends altering the yellow line at the western end but omitting the alterations to the yellow line at the eastern end.
- Traffic management concerns due to insufficient parking and increased demand for on-street parking. In addition concerns raised if the road is required to be shut during construction works.
- Recommends implementing a timed parking zone in part or full to discourage airport users and to ensure there is sufficient space for the additional residents.
- One representation raises no objection but recommends a solid fence is installed along the south boundary of the site to improve privacy between the properties and to prevent potential disturbance from dog barking.

Three representations were received in response to the revised application, main points as follows:

- Concerns remain that there is no proposal to implement a timed parking zone.
- Impact on the amenities of neighbouring properties due to a loss of privacy. Proposed balconies have increased concerns about the potential loss of privacy. One representation recommends implementing measures to minimise overlooking of the neighbouring property to the east.
- Traffic management concerns remain including the ability to access neighbouring properties and disruption during construction works.

Consultations:

The Office of Environmental Health and Pollution Regulation, 04/07/2025

"I have reviewed the proposed plans to demolish extensions, convert retail to dwellings, erect building, and associated works at the above site. There is an issue of concern that I must raise.

I have noted that the design includes a laundry facility situated above a bedroom. I have concerns about noise transference and the potential for vibrations emanating from appliances to impact the amenity of occupants in the property below. I would therefore recommend the following condition is attached to any consent granted for this application:

- Construction work shall not commence until a scheme for protecting the residential units has been submitted and approved by the Authority. All works which form part of the scheme shall be completed in accordance with the approved details before any part of the residential units are occupied. The scheme shall have regard to the principles contained within the World Health Organisation community noise guidelines / achieve the internal ambient standard within BS8233:2014 to minimise noise in residential dwellings. Following approval and completion of the scheme, a competent person employed by the developer shall undertake a test to demonstrate that the attenuation measures proposed in the scheme meet the internal ambient noise standard within BS8233:2014 to protect the residential unit from noise, and the results of the test submitted to and approved by the Authority.

It is not best practice to have laundry facilities located above bedrooms. Whilst the document published by the Building Research Establishment entitled Sound Control for Homes has outdated aspects, we would urge the applicant to have reference to the design elements of the document.

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

Guernsey Airport, 13/06/2025

“We have no objections to the proposed”.

Summary of Issues:

The main issues in deciding this application are:

1. The principle of housing development on this site.
2. Design and impact of the development on the character and appearance of the Conservation Area.
3. The impact of the development on the amenity of people living in the area.
4. Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings.
5. Road safety and traffic management.

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).**

During the course of consideration the application was deferred due to concerns about the siting of the bicycle store and its impact on the character and appearance of the Conservation Area, the provision of outdoor amenity space, the detailed

design of the building, the internal layout of the flats and alterations to the positioning of yellow lines. In response revised plans have been submitted to address the concerns raised, including the relocation of the bicycle store and the creation of first floor balconies.

The principle of housing development on this site

Policy LC5 supports the loss of existing comparison retail uses where the new use accords with other relevant Policies.

As set out in Policy LC2, the Island Development Plan is required to provide limited opportunities for housing development in Local Centres to enable community growth and to reinforce them as sustainable centres but requires that the scale of such development does not undermine the aims and objectives for the Main Centres. The site is located within the Forest Local Centre and is not identified as Important Open Land. As such Policy LC2 supports proposals for housing where the scale is appropriate to the centre concerned; where able to accommodate a variety of dwellings the proposal provides an appropriate mix and type of dwellings; and the proposal accords with other relevant policies of the Island Development Plan.

The conversion of an existing building into 2 dwellings and the erection of a building containing 3 dwellings is an appropriate scale for the Forest Local Centre. Current evidence regarding private market housing suggests a need for homes of mainly 1 and 2 bedrooms. The proposal for 1x1 bedroom and 4x2 bedroom units broadly reflects housing need and is considered to be appropriate, taking into account the size and nature of the site, the size of the existing building to be converted and the character of the surrounding area.

Design and impact of the development on the character and appearance of the Conservation Area

The proposal includes the retention of the existing traditional pitched roof building which makes a positive contribution to the character and appearance of the Conservation Area and the demolition of a later single storey extension to the east which detracts from the character of the area. A low granite wall is proposed along the front roadside boundary of the existing building which will enhance the enclosure along the street.

The proposed building to the east reflects the traditional design of the existing building. The proposed building incorporating multi-storeys, which is encouraged by Policy GP8 as a means of making a more efficient use of land, would respect the heights and proportions of neighbouring development. As a whole, the layout, general appearance, composition and materials of the proposed development achieve a high standard of design.

Existing tree planting on the southern bank and soft landscaping along the east boundary makes a positive contribution to the character and appearance of the Conservation Area. The application is accompanied by a Tree Impact Assessment which classifies 7 of the 9 trees to be removed as being in an unsuitable condition for

retention. Whilst the loss of the existing trees is unfortunate, the information submitted, including replacement tree and amenity planting is sufficient to justify the removal of the existing trees and to mitigate the visual impact resulting from the loss of the trees.

As a whole, the proposal will make an equal or enhanced contribution to the character and appearance of the Conservation Area, in accordance with Policies GP4 and GP8.

The impact of the development on the amenity of people living in the area

The layout of the development and the positioning of fenestration and balconies will result in some overlooking of neighbouring properties. However, by virtue of the distance to the neighbouring property on the opposite side of La Rue des Croisee to the north, the degree of harm caused by the loss of privacy is unlikely to have a material adverse effect on the amenities of neighbouring residents to the north. To the east, the first floor windows are set at high level, a high obscure glazed screen is indicated to the 1st floor balcony of unit 5 and the existing hedge/planting along the east boundary is indicated to be retained. Together with the set back of the building from the east boundary and the layout of the neighbouring property, these measures are likely to safeguard the amenities of neighbouring residents to the east. To the south, by virtue of the increased ground level of the neighbouring property to the south, the layout of the neighbouring property including the distance to the dwelling, the existing well-established planting on the neighbouring property and proposed planting as part of this application, the proposal is unlikely to have a material adverse effect on the amenities of neighbouring residents to the south. There is no requirement for a fence to be installed along the south boundary as part of this application, however, should a greater degree of privacy be desired, a proposal to install a fence could be pursued separately.

Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings

The proposed dwellings all substantially exceed the Guernsey Technical Standards minimum internal space standards and they either meet or exceed the best practice minimum internal space standards. All of the proposed dwellings are dual aspect and would have adequate levels of daylight and sunlight. The layout of the development achieves an adequate level of privacy for all units. All of the dwellings have access to either a balcony or a small private amenity space. Whilst the size and quality of the outdoor spaces is limited, when combined with the outlook from the dwellings, the provision of outdoor space would be adequate for the type and nature of the dwellings that they would serve. Overall the proposed dwellings are likely to provide an adequate living environment.

The Office of Environmental Health and Pollution Regulation raised concerns with the layout of the original application which included laundry facility above a bedroom of another unit. Revised plans have subsequently addressed these concerns by relocating the laundry facilities.

Road safety and traffic management

There are no set standards for car parking within Local Centres. Whilst the proposal includes no on-site parking, there is also no on-site parking to serve the existing retail and residential uses. There is a section of uncontrolled on street parking in front of the site and the highway La Rue des Croisee is classified as a Neighbourhood and Country Road as set out in the Traffic Engineering Guidelines for Guernsey. Altering the on street parking to time zoned parking to prevent its use by long term airport users (as suggested in a representation), is beyond the remit of the Planning Service. However, Traffic Services have advised informally that this could be reviewed in future if necessary. The proposal includes adequate bicycle storage and together with the proximity to services within the Forest Local Centre, the provision of public transport, the scale and nature of the proposed development, and the functioning of the existing retail and residential uses without on-site parking, the proposed development is unlikely to result in a significant adverse effect on traffic management and road safety and the provision of no on-site parking is acceptable in this instance. The proposal does not conflict with Policies IP6, IP7, IP9 and the adopted Parking Standards.

Other matters

With regards to the concerns raised about disruption and road closures during the construction phase, a degree of disturbance is an inevitable but temporary consequence of most building operations and separate controls exist under Environmental Health legislation to deal with any statutory nuisance that may arise. In this case, due to the character of the area and the relatively modest scale of the development, it would not be reasonable to place any additional controls on the construction phase of the development.

The revised application has omitted alterations to the eastern end of the yellow line. As a result the proposal is unlikely to have any significant adverse effects on the ability to access neighbouring properties.

Policy GP9 is wide-ranging and includes requirements for sustainable design and construction with reference to the design, layout and orientation of buildings, flood risk and surface water run-off, renewable energy, the use of materials and the management of waste. The application is supported by a Sustainable Development statement which sets out how the development has been designed to take into account sustainable design principles. It is advised that the positioning of fenestration seeks to maximise sunlight, extra insulation will be introduced in floors and roof construction to lower overall U-values and solar panels are to be installed. A Waste Management Plan has been submitted detailing how waste is to be minimised and managed. Overall the layout and form of the development and the information submitted is sufficient to demonstrate that the development has been designed to take into account the use of energy and resources, in accordance with Policy GP9.

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

It is recommended that the application is approved.

Date: 13/10/2025