

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 building and erect dwelling and associated works (Revised Scheme).

LOCATION: Le Morpaye, Rue Des Mares, St. Pierre Du Bois.

APPLICANT: Mr M Le Poidevin

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

Date of Grant of Permission: 23/07/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/06/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: SK.01A, 02

Application Ref: FULL/2025/0965

Property Ref: F013330000

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

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

5.Within six months the dwelling hereby approved being first occupied the existing barn, shown to be demolished, shall be dismantled and the land re-instated so that it is capable of domestic garden use, or such other period as may be agreed beforehand in writing by the Authority.

Reason - Permission for the dwelling hereby approved has been granted only on the basis that this would be a replacement dwelling on a one for one basis, in accordance with GP16(B) of the Island Development Plan, and the overall number of dwellinghouses on the site would not exceed the existing, approved, number of units on the site.

6.The development hereby permitted shall be constructed in accordance with the details set out in the letter from the applicant dated 11/06/2025, and there shall be no occupation of the dwelling until the EV charging point has been installed and made operational and permeable parking and paving laid in accordance with the approved plans.

Reason - In the interests of sustainable development.

Expiry Date: This permission will cease to have effect on 22/07/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Effect of planning permission:

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

- (1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).
- (2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.
- (3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.
- (4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.
- (5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

Right of appeal against planning decisions:

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision. The official Appeal Notice Forms are available on the States of Guernsey website at www.gov.gg/planningpanel and must be completed with all enclosures in multiples as requested and received within the six months deadline.

Copy of representations made:

In reaching this decision the Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

Other Remarks:

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services (highways@gov.gg) for further advice. You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with their requirements.

This document is not a Building Licence and confers no approval under the Building Regulations.

A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2025/0965
Property Ref: F013330000
Valid date: 23/06/2025
Location: Le Morpaye Rue Des Mares St. Pierre Du Bois Guernsey GY7 9AN
Proposal: Demolish building and erect dwelling and associated works (Revised Scheme).
Applicant: Mr M Le Poidevin

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

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

5. Within six months the dwelling hereby approved being first occupied the existing barn, shown to be demolished, shall be dismantled and the land re-instated so that it is capable of domestic garden use, or such other period as may be agreed beforehand in writing by the Authority.

Reason - Permission for the dwelling hereby approved has been granted only on the basis that this would be a replacement dwelling on a one for one basis, in accordance with GP16(B) of the Island Development Plan, and the overall number of dwellinghouses on the site would not exceed the existing, approved, number of units on the site.

6. The development hereby permitted shall be constructed in accordance with the details set out in the letter from the applicant dated 11/06/2025, and there shall be no occupation of the dwelling until the EV charging point has been installed and made operational and permeable parking and paving laid in accordance with the approved plans.

Reason - In the interests of sustainable development.

OFFICER'S REPORT

Site Description:

Le Morpaye is an old farmhouse within large grounds on the corner of Rue des Martins and Rue des Mares. There is one access on the junction; another from Rue des Martins. An outbuilding to the south-east of the main house has been previously converted to a separate dwelling. Further outbuildings are situated to the north-east of the main house. These buildings are part two and part single storey.

Since the previous applications and visits it is apparent that some temporary fencing/gates have been placed at the site entrance and within the site.

The site is located Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan (IDP). The whole of the main house, Le Morepaye, together with the roadside wall and gate are protected. The barn at Le Morpaye is not on the Protected Buildings Register.

Relevant History:

Pre-application advice was sought in this case.

FULL/2019/2124 - Demolish barn and erect dwelling – granted 15/07/2022

FULL/2016/2177 - Convert barn to dwelling – granted 28/10/2016

There is no record of permission having been granted for the fencing and gates that are present on the site.

Existing Use(s):

01 dwellinghouse

Brief Description of Development:

The application relates to the demolition of the existing barn on the site and the erection of single-storey pitched and flat roof dwelling with a reclaimed granite and composite clad exterior and slate roof. A patio area is proposed to the west of the dwelling with gravel to the south for parking provision. The existing vehicular access is to be retained in order to serve the proposed dwelling and the other property, Le Morpaye.

The scheme would provide a two-bedroom single-storey dwelling. The main bedroom would be served by an ensuite, the building would also contain an open plan kitchen, living and dining area, separate shower room, separate utility and an integrated store (including for cycles with an EV charging point. The second bedroom is identified as a being used for a variety of purposes, perhaps as a multifunctional space (bedroom, study, home office).

The application has been accompanied by a covering letter which outlines that the building, designed to reflect a traditional 'longhouse' form has a proposed floor area of 16sqm c. 11sqm smaller than the approved scheme). The area of the demolished barn would serve as additional amenity space for le Morpaye. Reference is made to a number of tress in the northwest corner of the site that will need to be felled (Ash die back and storm damage being the reasons given) and although the dwelling could be positioned differently its proposed location allows for the preservation of the woodland and the scheme as a whole, and existing actions by the property owner in terms of tree and shrub planting, have and will offer enhancements to the natural environment. Provision is made for one vehicle parking space although the site, in

multi-generational living, has ample space for multiple vehicles. The intention is generally to use cycles for short journeys. New hedge planting is proposed for internal site boundaries and to screen amenity areas from accessways/parking areas.

The letter sets out that as a new built it would have the benefits of modern construction and being single-storey can be built using SIPs and be fully compliant with current Building Regulations, with level access from the west elevation onto a patio/deck. The building takes into account Lifetime Homes Principles, with sufficient space for wheelchair access, good circulation space and the multifunctional use of the second bedroom. The building layout is laid out to minimise pipe runs and save materials and waste during construction with the aim of achieving high air tightness ratings to minimise heat loss. Granite and timbers from the barn are proposed to be reused, granite in construction and garden features and timbers etc. as internal features and upcycling projects. The single-storey nature of the development is such that future maintenance can be easy to undertake. Grey/rainwater recovery for non-potable water is also referred to along with the use of LED lighting and an EV charging point. As the building will not be overshadowed this will allow for maximum solar gain in winter months with sliding doors and rooflights proposed offering ventilation during the summer. An air source heat pump is proposed along with a wood burning stove in the main living area, using wood sourced on site. The submission refers to there being scope to install solar PV if required, such as Solteq Infinity solar slates.

The application has been accompanied by a Waste Management Plan.

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

Island Development Plan policies:

OC1: Housing Outside of the Centres

GP1: Landscape Character and Open Land

GP5: Protected Buildings

GP8: Design

GP9: Sustainable Development

GP16(A): Conversion of Redundant Buildings

GP16(B): Conversion of Redundant Buildings – Demolition and Redevelopment

IP6: Transport infrastructure and support facilities

IP7: Private and Communal Car Parking

IP9: Highway Safety, Accessibility and Capacity

Representations:

One letter of representation has been received commenting on the application and raising the following points:

- There will be a significant biodiversity net loss

- The submission states that some hedges will be planted and one will be replaced but there are no other details provided – will native species be used?
- The species of trees to be felled is not given, nor of the ‘overgrown’ hedge so it is not possible to assess their wildlife value
- Is the proposed property to be built within curtilage or on agricultural land – surely in either case the requirements of the Strategy for Nature would need to be addressed

La Societe Guernesiais – commented on the 2019 application.

Outbuildings of this type are frequently used by bats and nesting birds, in particular Swallow. It is recommended that the outbuildings are inspected by a suitably qualified person prior to demolition for current or recent use by birds, bats and other wildlife. This would reduce the risk of disturbing animals which are protected under the Animal Welfare Ordinance, 2012. Further measures to support nesting birds and roosting bats are recommended to be included in the new development.

Consultations:

None.

Summary of Issues:

The key issues in this case relate to the principle of the proposed development, its floorspace, volume and location, the design and appearance of the proposed dwelling and its likely effect on the character and amenity of the locality and on residential amenity.

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.

The site is within an Agriculture Priority Area however as the development is not located on agricultural land there is no conflict with IDP policy.

Planning permission has previously been granted for the conversion of a redundant building on the site at Le Morpaye Barn. Although this permission has lapsed at the time of submission there remained an extant permission for the demolition of the barn and the erection of a replacement dwelling on the site. Policies OC1 and GP16(A) have thus been satisfied and the scheme must now be considered with

regard to Policy GP16(B) and other relevant policies of the Island Development Plan and criteria a) regarding the approved conversion scheme has been satisfied.

The extant redevelopment scheme provided a development of broadly the same floorspace and volume when considering criteria b. The floor area of the conversion scheme is 98 sqm and its volume is 413m³ compared to a proposed floor area of 100 sqm and proposed volume of 433m³.

The existing barn is set back from the road and adjacent to other buildings on the site. The building is described by the Tribunal as having “some visual charm, they do not, in our opinion, rise above the level of ordinariness that innumerable old buildings achieve”. It is considered therefore that there is scope for the removal of the barn subject to the design/appearance of the replacement in accordance with the aims of GP16(B) criteria c. The proposal would see the building set away from the main house, a Protected Building, and will not have an adverse impact on its setting, in accordance with Policy GP5 of the Plan.

The principle of relocating the dwelling on the site has been established through the 2019 application. Paragraph 19.17.14 of the Island Development Plan states that consideration can be given to “the potential to relocate a structure on the site or to the use of sustainable building and construction techniques to achieve enhancements not possible through the conversion alone. ... in order to support such proposals the Authority will need to be satisfied that there is a significant enhancement in terms of sustainable design and construction of the new building and that there are no increased impacts on ... the character or openness of an area.”

The level of information provided is considered sufficient in order to demonstrate that the dwelling now proposed would significantly enhance sustainable design. The information submitted in this case does demonstrate compliance with Policy GP16(B) criterion d) and GP9 and the provision of sustainable design measures can be controlled by planning condition.

The site is identified as forming part of the Plateau landscape character area, specifically the Western Plateau where “*the landscape consists of a series of broad erosion platforms stepping gradually down to the west and is much dissected by the deeply cut valleys. Open fields, divided by low earth banks, are interspersed with established farmsteads surrounded by mature trees*”. The Island Development Plan sets out that a development should have “no increased impact” on the character or openness of an area. Having regard to the position of the existing building, the siting of the replacement dwelling will not have a detrimental impact on the openness or the landscape character of the area. The proposed development would comply with Policy GP16(B) criterion e) and GP1 of the IDP.

The siting of the building will not result in harm to the openness and character of the area. The scheme represent a good standard of architectural design that respects the local built environment as set out in more detail above. The scheme accords with Policy GP8 criteria a) and c) of the Island Development Plan.

The scheme does not incorporate multi-storey development in this case although this approach does reduce the scale and bulk of the development. Furthermore, the scheme works with the parameters set in terms of a development that is of broadly the same floorspace and volume as the approved conversion scheme. The design approach adopted ensures the development will not appear unduly obtrusive in the streetscene and it is concluded that the scale of development is appropriate in this instance having regard to efficient and effective use of the land (GP8 criteria b)).

The siting and layout of the dwelling is such that it will not result in overshadowing, loss of sunlight/daylight or overlooking of any adjoining dwelling and therefore satisfactorily considers the health and well-being of neighbours of the development. The scheme is also designed to have regard to the health and well-being of occupiers of the development with regard to sunlight/daylight and amenity space. The scheme therefore accords with Policy GP8 criteria d), GP9 and GP16(B) criteria e).

The site plan shows how the site would be divided to provide screening from cars/parking areas etc and should the site be sold on from family ownership in the future. It has previously been noted that planting hedges/trees etc would not require planning permission although new fences/walls would likely require permission due to the protected status of Le Morpaye. It remains the case that given the relationship between buildings and fenestration it is not considered essential to require any boundary treatments to be introduced in connection with this planning permission. The principle of relocating the dwelling on the site has been established through the 2019 application.

Paragraph 19.17.14 of the Island Development Plan states that consideration can be given to “the potential to relocate a structure on the site or to the use of sustainable building and construction techniques to achieve enhancements not possible through the conversion alone. ... in order to support such proposals the Authority will need to be satisfied that there is a significant enhancement in terms of sustainable design and construction of the new building and that there are no increased impacts on ... the character or openness of an area.”

The level of information provided is considered sufficient in order to demonstrate that the dwelling now proposed would significantly enhance sustainable design. The information submitted in this case does demonstrate compliance with Policy GP16(B) criterion d) and GP9 and the provision of sustainable design measures can be controlled by planning condition.

The site is identified as forming part of the Plateau landscape character area, specifically the Western Plateau where “the landscape consists of a series of broad erosion platforms stepping gradually down to the west and is much dissected by the deeply cut valleys. Open fields, divided by low earth banks, are interspersed with established farmsteads surrounded by mature trees”. The Island Development Plan sets out that a development should have “no increased impact” on the character or openness of an area. Having regard to the position of the existing building, the siting

of the replacement dwelling will not have a detrimental impact on the openness or the landscape character of the area. The proposed development would comply with Policy GP16(B) criterion e) and GP1 of the IDP.

The siting of the building will not result in harm to the openness and character of the area. The scheme represents a good standard of architectural design that respects the local built environment as set out in more detail above. The scheme accords with Policy GP8 criteria a) and c) of the Island Development Plan.

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The site plan shows how the site would be divided to provide screening from cars/parking areas etc and should the site be sold on from family ownership in the future. Planting hedges/trees etc would not require planning permission although new fences/walls would likely require permission due to the protected status of Le Morpaye. Given the relationship between buildings and fenestration it is not considered essential to require any boundary treatments to be introduced in connection with this planning permission.

The scheme demonstrates accessibility to and within the building for people of all ages and abilities (criteria f)) and also offers flexible and adaptable accommodation that can respond to people's needs over time. Future extensions to the building (whether exempt or the subject of a planning application) could also offer further flexibility to the building and the accommodation (GP8 criteria g)).

Policies IP7 and IP9 relate to private car parking and highway safety, accessibility and capacity respectively. The scheme proposes ample off-road parking to serve the development along with on-site turning to enable vehicles to turn and exit the site in a forward gear. The proposed dwelling, having regard to the conversion scheme, will not result in an intensification in the use of the access nor an unacceptable increase in traffic on the local roads. The access onto Les Martins is considered satisfactory with regard to road safety and the scheme therefore accords with the requirements of Policies IP7 and IP9 of the Island Development Plan. The building incorporates an

integrated store that can be utilised for secure and covered cycle storage in accordance with Policy IP6 of the Plan.

The application has been accompanied by a Waste Management Plan setting out information relating to the recycling and disposal of waste arising from demolition on the site. It is concluded that further information in connection with a Site Waste Management Plan can be controlled by planning condition and therefore Policy GP9 has been satisfied in this respect.

Although the public consultation has raised the matter of the change of use of land and matters relating to biodiversity this site is currently recognised as domestic garden. The Strategy for Nature Supplementary Planning Guidance and associated biodiversity enhancements would not apply as no change of use of land is proposed. The removal of existing trees/hedges and other landscaping can be undertaken without permission. The applicant has also noted tree planting that has been carried out over a significant period of time on the wider site.

In view of the above, it is recommended planning permission is granted for the proposed development.

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

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

The proposal would have no adverse impact on protected trees or sites. The matter of protected buildings is considered elsewhere in this report.

Date: 23/07/2025

