

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, relocate and erect dwelling to south-east of site with associated works.

LOCATION: La Tranquille, Rue Du Douit, Vale.

APPLICANT: Mr & Mrs A Duport

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: 05/09/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 14/07/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 6426/C/1.

Application Ref: FULL/2025/1058

Property Ref: C022100000

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 dwelling hereby approved shall not be first occupied until such a time as the building shown to be demolished hatched in blue on the approved drawing (ref: 6426/C/1) has been demolished and all ancillary materials, works and structures have been removed from the site and the land and the land surrounding the building as shown in green on the approved drawing has been re-instated so that it is capable of agricultural use.

Reason - To make sure the development takes the form hereby permitted.

5.No development shall begin on site in connection therewith until full details of the photovoltaic panels to be installed on the west and south facing elevations have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed feature(s). This condition is imposed to make sure that the building is of satisfactory design and does not have any adverse impact on the character of the area.

6.There shall be no occupation of the dwelling hereby approved until the electric vehicle charging point, water butts and photovoltaic panels have been installed and made operational.

Reason - In the interests of sustainable development.

7. Prior to the first occupation of the dwelling hereby approved:

(a) Full details of the hedges to be planted to demarcate the residential curtilage for the property (as shown on drawing ref: 6426/C/1) including the species native to Guernsey, size and density of plants at the time of planting, shall be submitted to and approved in writing by the Authority.

(b) The hedges shall be planted, in strict accordance with the details approved under (a) above and any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - In the interests of visual amenity and to ensure that each unit has a satisfactory level of privacy and amenity.

8. Prior to the first occupation of the dwelling hereby approved:

(a) full details of an appropriate boundary treatment between points A to B as shown on drawing reference 6426/C/1 shall have been submitted to and approved in writing by the Authority.

(b) The boundary treatments shall have been installed on site in accordance with the details approved under (a) of this condition above, between points A to B as shown on drawing ref: 6553/A/5 and shall be retained as such thereafter and any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - To prevent overlooking and to ensure that the proposal has a satisfactory level of privacy and amenity.

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

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

Expiry Date: This permission will cease to have effect on 04/09/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Please note the area of land that formed part of the curtilage associated with the conversion scheme approved under application reference FULL/2025/0309 is no

longer considered as such and will be recognised as agricultural land in accordance with condition 4 of this permission.

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/2025/1058
Property Ref: C022100000
Valid date: 14/07/2025
Location: La Tranquille Rue Du Douit Vale Guernsey GY6 8AA
Proposal: Demolish building, relocate and erect dwelling to south-east of site with associated works.

Applicant: Mr & Mrs A Duport

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 dwelling hereby approved shall not be first occupied until such a time as the building shown to be demolished hatched in blue on the approved drawing (ref:

6426/C/1) has been demolished and all ancillary materials, works and structures have been removed from the site and the land and the land surrounding the building as shown in green on the approved drawing has been re-instated so that it is capable of agricultural use.

Reason - To make sure the development takes the form hereby permitted.

5. No development shall begin on site in connection therewith until full details of the photovoltaic panels to be installed on the west and south facing elevations have been submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed feature(s). This condition is imposed to make sure that the building is of satisfactory design and does not have any adverse impact on the character of the area.

6. There shall be no occupation of the dwelling hereby approved until the electric vehicle charging point, water butts and photovoltaic panels have been installed and made operational.

Reason - In the interests of sustainable development.

7. Prior to the first occupation of the dwelling hereby approved:

(a) Full details of the hedges to be planted to demarcate the residential curtilage for the property (as shown on drawing ref: 6426/C/1) including the species native to Guernsey, size and density of plants at the time of planting, shall be submitted to and approved in writing by the Authority.

(b) The hedges shall be planted, in strict accordance with the details approved under (a) above and any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

Reason - In the interests of visual amenity and to ensure that each unit has a satisfactory level of privacy and amenity.

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(a) full details of an appropriate boundary treatment between points A to B as shown on drawing reference 6426/C/1 shall have been submitted to and approved in writing by the Authority.

(b) The boundary treatments shall have been installed on site in accordance with the details approved under (a) of this condition above, between points A to B as shown on drawing ref: 6553/A/5 and shall be retained as such thereafter and any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size

and species similar to those originally required to be planted.

Reason - To prevent overlooking and to ensure that the proposal has a satisfactory level of privacy and amenity.

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

INFORMATIVES

Please note the area of land that formed part of the curtilage associated with the conversion scheme approved under application reference FULL/2025/0309 is no longer considered as such and will be recognised as agricultural land in accordance with condition 4 of this permission.

OFFICER'S REPORT

Site Description:

The application site comprises a detached residential property situated to the north of La Tranquille. The site accommodates a domestic glasshouse, garage, and a stable all within the residential curtilage of the property. Outside of the residential curtilage to the north of the dwelling is a former packing shed and agricultural land. All of the redundant horticultural glass has been removed from the site.

Surrounding the site the area comprises residential properties to the south, east and west with agricultural fields to the north and southeast.

The site is situated Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan.

Relevant History:

FULL/2025/0309	Convert building to dwelling with change of use of agricultural land to domestic garden and associated works	Granted 20/05/2025
CLU/2024/1077	Regularise the use of agricultural land (Use Class 28) as domestic garden (Use Class 1).	Granted 24/12/2024
FULL/2024/0525	Change of use of section of agricultural land to domestic garden (263sqm).	Withdrawn 04/10/2024
FULL/2015/1127	Extend domestic curtilage and erect a garage	Granted 23/07/2015
FULL/2010/0571	Extend dwelling on south elevation to create sunlounge	Granted 27/05/2010
FULL/2010/0570	Erect stables and tack room	Granted 24/06/2010
FULL/2009/3538	Erect horticultural/agricultural store (retrospective).	Granted 15/12/2009

Existing Use(s):

Residential – property, glasshouse and domestic garden area;
Agricultural – remainder of the land and the packing shed

Brief Description of Development:

Planning permission is sought to demolish an existing building (that has planning permission to be converted into a dwelling) and to construct a new two bedroom dwelling to the south-east of the site with associated works.

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;
- GP8: Design;
- GP9: Sustainable development;
- GP16(a): Conversion of Redundant Buildings;
- IP6: Transport Infrastructure and Support Facilities
- IP7: Private and Communal Car Parking
- IP9: Highway Safety, Accessibility and Capacity

Representations:

None

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. whether the principle of the proposal is acceptable;
2. the impact of the development on the character and appearance of the surrounding area;
3. the impact of the development on the amenity of people living in the area;
4. parking and access issues.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Policy OC1 (Housing Outside of the Centres) indicates that new dwellings will only be supported where the proposal is achieved through the subdivision of an existing dwelling or the conversion of a redundant building, in accordance with Policies GP16(A) and GP16(B) (Conversion of Redundant Buildings).

In this case, permission has been granted for the conversion of the existing outbuilding under Policy GP16(A), and permission is now sought for the demolition of that building and the construction of a new dwelling under Policy GP16(B) in a new location.

Policy GP16(B) states that the demolition and redevelopment of a building that is able to accord with the requirements of the conversion of redundant buildings policy may be acceptable without the need to implement the permission for conversion by physically carrying out the development, provided that:

a. the conversion scheme has first been granted planning permission;

Permission was granted on 20/05/2025, to convert the existing packing shed into a single residential dwelling under application FULL/2025/0309. The permission remains extant expiring on 19/05/2028.

b. the redeveloped scheme is of broadly the same floor space and volume as the approved conversion scheme and, in the case of development for residential purposes, the number of units approved in the conversion scheme is not exceeded;

Floorspace and volume calculations comparing the approved conversion scheme to the proposed redevelopment scheme have been submitted by the agent. These have been checked and the information provided appears to be accurate.

The information provided confirms that the approved conversion scheme comprised a total of 98.87m² in terms of the useable floorspace provided. The total volume of the building equated to 265.5 cubic metres.

The redevelopment scheme (the subject of this report) proposes a total of 114.18m² floorspace representing a 14% increase. The volume of the proposed building equates to 321.5 cubic metres which represents a 21% increase when compared to the original approved conversion scheme. When considering whether the redevelopment scheme is “*broadly the same floorspace and volume*” as a general rule an increase of up to 20% is usually considered to be acceptable. In this instance although the volume of the building will exceed the 20% threshold this is only marginal and whilst it would be possible to reduce the volume through a slight alteration to part of the roof form (from a hipped roof to a flat roof), this would alter the balance and design of the scheme and is not considered to be necessary in this instance.

There is no requirement in the policy text for the new scheme to be of the same height, form, design or positioning on site as the existing building, provided that any such changes are acceptable under the remaining policy criteria which is assessed below.

In this instance given that the floorspace is below the 20% threshold and the volume only marginally exceeds the 20% threshold, on balance and for the reasons above the proposal complies with this criterion of the policy.

c. where the existing building makes a particular positive contribution to the character of an area the replacement building would make an equal or enhanced contribution to the character of that area;

The existing building is a former packing shed, and is of utilitarian form and design. The structure is of single storey construction and is set within the site circa 150m from the road frontage. The existing building does not therefore make a particular positive contribution to the character of the area and demolition is supported.

Policy GP8 also requires that development proposals achieve a good standard of design, which respects the character of the local built environment or open landscape concerned.

In this case the proposed dwelling would be relocated circa 65m to the southwest of the previously approved conversion scheme. The form and materials proposed are however consistent with the surrounding built form, and the building in its new position would be better grouped with the surrounding development and built form and would not impact on open land, the character of the area or the surrounding

landscape. The increase in the floorspace and volume of the building would not increase the visibility of the structure from any public vantage points and if seen at all the building would be read and seen in context amongst the existing development with limited additional impact on the character of the area.

Furthermore, the proposal also includes the demolition of the existing building to the north of the site (which can be controlled by condition) and to return this area of land back to agricultural use, which would improve the openness and landscape character of the surrounding area.

d. it can be demonstrated that the new building can be constructed in such a way as to significantly enhance its sustainable design;

The submitted information confirms that the proposed dwelling will meet the requirements of the Building Regulations, enhancing the thermal efficiencies of the building. In addition a covering letter has been submitted to address Policy GP9 which confirms the following:

- the insulated cavity construction and 22.5 degree hipped roof meets and exceeds Building Regulation Requirements;
- The proposal has been designed to maximise the penetration of natural light, with large openings and dual aspect living to key areas;
- Avoids overshadowing to surrounding neighbours;
- The proposal includes an electric vehicle charging point to encourage the use of low emission transport;
- The proposal incorporates rainwater harvesting systems in two water butts to save water usage;
- Hard surfacing will be permeable; and
- Photovoltaic panels are proposed on the west and south facing elevations.

The scheme also incorporates a shed which could provide covered cycle storage to enable people to travel by alternative modes of transport (IP6). The information submitted in respect of the sustainability of the design is adequate to meet the requirements of part d).

e. it can be demonstrated that the new building can be constructed in such a way as to not have any unacceptable adverse impacts on the landscape character or openness of an area;

The land that is the subject of this application is located within Lowland Hills landscape character area as identified in the Island Development Plan and both residential and horticultural/agricultural buildings are common in the area.

As outlined earlier in this report it is concluded that the proposals would not have a significant and unacceptable impact on the landscape character of the area. The site is not highly visible from public vantage points in the wider area. Furthermore, by relocating the proposed dwelling in a position grouped better with the existing built form on the site, and by demolishing the existing building and returning the area to

agricultural land, the proposal would improve the openness and landscape character of the surrounding area.

The area that will form the domestic curtilage associated with the proposed dwelling is already classed as residential curtilage currently used in association with the property 'La Tranquille' to the north so no change of use of the land or consideration of policy GP15 is required in this instance. The scheme will include new hedgerows to demarcate the domestic garden associated with the property which will be in-keeping with the landscape character of the area.

With regards to biodiversity a new hedge is proposed to be planted for the full extent of the proposed curtilage boundary (a condition is proposed to ensure that this species is native to Guernsey) and by demolishing the existing building and returning the land to agriculture, to be used alongside the remainder of the field, will improve the biodiversity of the site in accordance with the Strategy for Nature SPG.

f. it can be demonstrated that the new building can be constructed in such a way as to not have any increased impacts on the amenities or reasonable enjoyment of occupiers of neighbouring properties and the surrounding area.

This matter is considered in more detail below with regard to Policy GP8 of the Island Development Plan.

As outlined above, the siting of the building will not result in harm to the openness and character of the area. The proposed dwelling does 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 erection of a single-storey dwelling on the site does not represent multi-storey development that represents the most efficient and effective use of land however, the existing building is single-storey and the submitted scheme does, in all other respects, meet the aims of Policy GP8. Furthermore, creating a multi-storey building in this case could have a negative impact on the design of the development (in order to meet the floorspace and volume requirements of Policy GP16(B)) and could have a greater impact on the landscape character and openness of the surrounding area and on residential amenity.

The property will be situated circa 15m south of the nearest neighbouring property 'La Tranquille' to the north. At this distance the proposal would not have any significant impacts on the amenities afforded to its occupiers with regard to light loss, overshadowing or privacy.

A hedge is proposed to be planted along the west boundary of the curtilage which once fully established will provide privacy to the occupiers of the proposed dwelling. It is not clear however what boundary treatment will be formed between the garage (which will be used by the neighbouring property) and the domestic curtilage for the

proposed dwelling to the south. It is recommended that a condition be included for details to be provided to ensure that an acceptable level of privacy is provided.

The external space provided to serve the dwelling would be generous and offer an attractive outlook from the dwelling. Overall, the proposed dwelling would provide an adequate living environment, in accordance with Policy GP8(d) and Annex I: Amenities having regard to the health and well-being of occupiers of the development with regard to sunlight/daylight and amenity space.

The single-storey nature of the development is such that the accommodation is on a single level without stepped access and has open plan living and accessible bedrooms and bathrooms and an accessible parking area. The accommodation could be used in a different way to that shown on the application drawings and the property could also be extended in the future. Overall, the scheme therefore demonstrates accessibility to and within the building for people of all ages and abilities, offering flexible and adaptable accommodation that can respond to people's needs over time.

Policies IP7 and IP9 relate to private car parking and highway safety, accessibility and capacity respectively. The scheme proposes adequate 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 the local road network is 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 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.

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, buildings or sites

Conclusion

Overall the proposal accords with the purpose of the Law, material considerations and relevant planning policies and approval is recommended subject to conditions.

Date: 05/09/2025

