

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 glasshouses and buildings, convert building to dwelling, change of use from agricultural land to domestic garden (325sqm) and associated works.

LOCATION: Tranquil Vinery, Rue Des Marais, Vale.

APPLICANT: Jason Norman Developments Ltd

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: 19/11/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 15/07/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 6524/A/1b

Application Ref: FULL/2025/1089

Property Ref: C02225A000

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) 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.

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

5.No development, excluding demolition and site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Authority:

- i) full details of tree and hedge planting;
- ii) planting schedules, noting the species, sizes, numbers and densities of plants;
- iii) details of pampas grass to be removed; and
- iv) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - In the interests of visual amenity and biodiversity.

6.The landscaping scheme shall be fully completed/implemented in accordance with drawing 6524/A/1b and as revised and updated by the details agreed under the terms of the above condition 5, in the first planting season following the first occupation of the hereby approved dwelling or completion of the 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.

Expiry Date: This permission will cease to have effect on 18/11/2028 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>.

If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building is located in an area where bats may be roosting or other wildlife may be nesting and measures may therefore need to be taken (including inspections prior to any building works or consideration of the timing of the works) to ensure that any protected species present are not impacted by the works. It is recommended that you contact La Société Guernesiaise 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/2025/1089
Property Ref: C02225A000
Valid date: 15/07/2025
Location: Tranquil Vinery Rue Des Marais Vale Guernsey
Proposal: Demolish glasshouses and buildings, convert building to dwelling, change of use from agricultural land to domestic garden (325sqm) and associated works.

Applicant: Jason Norman Developments Ltd

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) 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.

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

5. No development, excluding demolition and site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Authority:

- i) full details of tree and hedge planting;
- ii) planting schedules, noting the species, sizes, numbers and densities of plants;
- iii) details of pampas grass to be removed; and
- iv) all existing trees, hedges and other landscape features, indicating clearly those to

be removed.

Reason - In the interests of visual amenity and biodiversity.

6. The landscaping scheme shall be fully completed/implemented in accordance with drawing 6524/A/1b and as revised and updated by the details agreed under the terms of the above condition 5, in the first planting season following the first occupation of the hereby approved dwelling or completion of the 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.

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>.

If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report.

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building is located in an area where bats may be roosting or other wildlife may be nesting and measures may therefore need to be

taken (including inspections prior to any building works or consideration of the timing of the works) to ensure that any protected species present are not impacted by the works. It is recommended that you contact La Société Guernesiaise 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 site consists of a former horticultural site which has largely been cleared, except for a former packing shed and store along the west boundary.

The site is situated behind neighbouring residential properties which front onto the highway Rue Des Marais and it is accessed from Rue Des Marais to the north-west via a hard surfaced track between neighbouring properties. The site is located Outside of the Centres.

Relevant History:

None

Existing Use(s):

Agriculture use class 28

Brief Description of Development:

Planning permission is requested to convert and alter former packing shed to create a 1 bedroom dwelling and including demolish buildings and change the use of an area of agricultural land measuring 325sqm to associated domestic land.

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

Policy OC1: Housing Outside of the Centres

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

Policy GP1: Landscape Character and Open Land

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP15: Creation and Extension of Curtilage

Policy GP16(A): Conversion of Redundant Buildings

Policy GP17: Public Safety and Hazardous Development

Policy IP6: Transport Infrastructure and Support Facilities

Policy IP7: Private and Communal Car Parking

Policy IP9: Highway Safety, Accessibility and Capacity

Representations:

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

- No information has been provided about the site's current biodiversity and the biodiversity proposals are extremely vague.
- One letter of representation was received on behalf of La Société Guernesiaise which highlights that buildings of this type can be used by roosting bats and nesting birds particularly when a property is located within a variable landscape with habitats such as farmland or woodland nearby. La Société Guernesiaise recommend that the buildings are inspected for current or recent use by bats and/or birds by a suitably qualified person prior to any building works to reduce the risk of disturbing or destroying animals which are protected under the Animal Welfare Ordinance 2012. La Société Guernesiaise recommend that an informative note to highlight the above is included in the decision notice.
- La Société Guernesiaise advise that the derelict vinery has become overgrown with vegetation and as such it likely supports a range of associated wildlife. It is recommended that the existing site is assessed in terms of its overall ecological impact in order to ensure that appropriate mitigation can be considered.
- La Société Guernesiaise also suggest that the proposed change of use of 3,624sqm of agricultural land is excessive in relation to a single dwelling.

One representation was received in response to the revised application, the main points as follows:

- The site is very near the nature reserve at La Garenne and the habitat rich area of Vingtaine de L'Epine. Further details should be sought of the new 'native' hedge as inappropriate species are often included. A mixed hedge is recommended.

Consultations:

The Office of Environmental Health and Pollution Regulation, 05/08/2025

"I have reviewed the proposed plans for Tranquil Vinery which were received by email on 18th July 2025 and there are a number of issues of concern that I must raise. The site was historically used as a commercial vinery. I would therefore be concerned for pesticide contamination from this use. I would also be concerned for land contamination from heavy metals, specifically but not limited to lead. Historic records are limited, considering the commercial use of this vinery, it's reasonable to assume the greenhouses were also heated and therefore contamination from hydrocarbons is also possible. I recommend that the Planning Authority apply a full contaminated land condition to any permission granted.

Potential Land Contamination:

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>.

Discovery Strategy

- If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed report”.

Summary of Issues:

The main issues in deciding this application are:

1. The principle of residential conversion.
2. Whether the existing building is of sound and substantial construction and is capable of conversion without extensive alteration or rebuilding.
3. The impact of the development on the character and openness of the landscape.
4. The impact on the amenities of neighbouring residents.
5. Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings.
6. Whether the proposal would result in biodiversity enhancements.

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 change of use of the entire site to domestic land and its impact on the character and openness of the area. Revised plans have subsequently been received which have reduced the proposed associated domestic land from 3,624sqm to 325sqm.

Policy OC1 provides scope for the conversion of existing redundant buildings to dwellings Outside of the Centres provided that specific criteria as set out in Policy GP16(A) are met.

The glasshouses have been cleared from the site and therefore it is agreed that the packing shed is no longer required to service the former horticultural use of the site and the building is redundant in accordance with part (a) of Policy GP16(A).

The structural report states that the packing shed is robust in its construction with part concrete block walls and part metal insulated panel system walls built off concrete strip footings. The report states that the building is free from any significant foundation movement with only some localised corrosion visible to metal panels which will require localised repairs. Structural calculations are appended to the report that demonstrate the structure is capable of sustaining the dead and imposed loads without the need for significant improvement. The structural report concludes that the building can be adapted and converted as indicated on the drawings with no significant or substantial structural works.

Together with the relatively minor extent of works proposed, including the installation of a window in the south elevation and the replacement of or alterations to existing fenestration and the installation of external insulation, the information submitted is sufficient to demonstrate that the existing building is of sound and substantial construction and is capable of conversion without extensive alteration or rebuilding.

The existing building is not protected and is not considered to comprise a building of character that makes a positive contribution to the character and appearance of the area.

The building is situated behind neighbouring dwellings which front onto the highway resulting in limited public views of the site. No extensions to the existing building are proposed. Although the building is located within an area of undeveloped/agricultural land and is not well-related to existing built development along the highways, there is an existing neighbouring residential property situated within a similar setting and accessed via the same track to the east. The revised proposal has confined the curtilage to a more proportionate area around the dwelling whilst retaining the open/undeveloped land to the north-west and south-east. Overall, the use of the building and associated land for residential purposes is unlikely to have any significant adverse impacts on the character and openness of the landscape.

Due to the distance to neighbouring residential properties, the proposal is unlikely to have any adverse effects on the amenities of the neighbouring residents.

The proposal to change the use of a section of the land to a domestic use to serve the proposed dwelling also falls to be considered under Policies OC5(B), GP15 and GP1 of the Island Development Plan.

The site is not within an Agriculture Priority Area or an Area of Biodiversity Importance, 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. As set out above, it is concluded that the proposal is unlikely to have any significant adverse impacts on the character and openness of the landscape and consequently the change of use of the land to a domestic use accords with Policies OC5(B), GP15 and GP1.

The proposed dwelling is limited in size, it would meet minimum internal space standards as set out under the Building Regulations for a one bedroom property for 1 person but it would not meet the best practice minimum internal space standards for a one bedroom property for 1 person (proposed 32sqm, best practice 37sqm). The dwelling has the potential to receive adequate daylight and sunlight and would benefit from a generous provision of outdoor space and an attractive outlook. As a whole despite some deficiencies, particularly the internal size, the proposed dwelling is likely to provide a satisfactory living environment.

The application is accompanied by a landscape plan. The measures proposed including the planting of boundary hedging and trees have the potential to provide proportionate biodiversity enhancements, taking into account the size of the area of land involved. Precise planting details including the species, size and densities of plants can be requested by condition. In addition, it is recommended that existing areas of pampas grass are removed to prevent the spread of the potentially invasive species.

The change of use of the building to a residential dwelling is likely to have a limited effect on the intensity of use of the access and a negligible impact on road safety and traffic management on the wider road network. The proposed vehicle parking and a shed which could be used for bicycle storage would be adequate to serve the proposed dwelling.

To address the concerns raised by the Office of Environmental Health and Pollution Regulation regarding the potential for contaminated land, it is recommended that a condition is attached to the decision to investigate and if necessary implement mitigation measures.

To address the comments raised on behalf of La Société Guernesiaise, it is recommended that a note is attached to the decision notice to make the applicant aware of the potential issues with disturbing animals which are protected under the Animal Welfare Ordinance 2012.

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: 18/11/2025

