

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 outbuildings, subdivide dwelling to create 3 dwellings and associated works.

LOCATION: Palm Springs, Rohais De Haut, Castel.

APPLICANT: Ms J Trubuil

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 18/07/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd - 6553/A/4, 5, 6

Application Ref: FULL/2025/1105

Property Ref: K000660000

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. Prior to the first occupation of any of the dwellings hereby approved:
(a) Full details of hedges to be planted to demarcate the boundary to the south of each property (as shown on drawing ref: 6553/A/5) including species native to Guernsey, the size and density of plants at the time of planting, shall be submitted to and approved in writing by the Authority.

(b) The outbuildings shall be demolished, gardens formed and hedges planted, in strict accordance with the details approved on Drawing No 6553/A/5 and 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.

5. Prior to the first occupation of any of the dwellings hereby approved:
(a) full details of an appropriate boundary treatment between points A to B and between Points C to D as shown on drawing reference 6553/A/5 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 and C to D as shown on drawing ref: 6553/A/5 and shall be retained as such thereafter.

Reason - To prevent overlooking between each unit and ensure that each unit has a satisfactory level of privacy and amenity.

6. The window(s) and door shown to be removed/blocked up in the east facing elevation of the rear projection of dwelling 1 (serving the main bedroom) shall have been removed/blocked up prior to the first occupation of dwelling 1. No new windows

or openings shall be formed in this elevation unless otherwise agreed in writing by the Authority.

Reason - To prevent overlooking and to ensure that units 1 and 2 have a satisfactory level of privacy and amenity.

Expiry Date: This permission will cease to have effect on 04/09/2028 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/2025/1105
Property Ref: K000660000
Valid date: 18/07/2025
Location: Palm Springs Rohais De Haut Castel Guernsey
Proposal: Demolish outbuildings, subdivide dwelling to create 3 dwellings and associated works.

Applicant: Ms J Trubuil

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.

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Reason - To prevent overlooking and to ensure that units 1 and 2 have a satisfactory level of privacy and amenity.

OFFICER'S REPORT

Site Description:

The application site comprises a single storey dwelling situated on a large plot with numerous outbuildings immediately to the south of the dwelling. The site is situated

to the north of and is accessed from Rohais De Haut. Surrounding the site the area comprises residential properties of mixed building types and design.

The site is situated Outside of the Centres as designated in the Island Development Plan.

Relevant History:

PRCN/2003/3851	Conversion of outbuilding to habitable accommodation (reconsideration)	Refused 14/11/2003
PAPP/2003/2292	Convert outbuildings to habitable accommodation	Refused 28/07/2003
PTFR/2002/3629	Construct extensions to dwelling	Granted 04/12/2002
PAPP/2002/3628	Convert outbuilding to habitable accommodation (retrospective)	Granted 03/12/2002
PAPP/2002/3619	Convert glasshouse to a garage/store (retrospective) and construct a mower shed	Granted 04/12/2002
PAPP/2001/4370	Construct extensions to dwelling	Granted 22/01/2002
PAPP/2001/4363	Construct an additional outbuilding	Granted 22/01/2002
PAPP/2001/4078	Vary works previously approved to construct an outbuilding (retrospective)	Granted 22/01/2002
PAPP/2001/4077	Convert glasshouse to a garage/store (retrospective)	Granted 22/01/2002
PAPP/2000/3618	Erect glazed link from dwelling to outbuilding.	Granted 28/11/2000
PAPP/1998/4289	Erect an outbuilding	Granted 22/12/1998

Existing Use(s):

Residential

Brief Description of Development:

Planning permission is sought to demolish the existing outbuildings, to subdivide the existing dwelling into three two-bedroom dwellings 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;
- IP9: Highway Safety, Accessibility and Capacity;

Representations:

None

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

- Whether the principle of the development is acceptable,
- the impact on neighbours,
- impact on the character of the area; and
- parking and access issues.

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).

The Spatial Policy of the IDP, expressed through Policy S1, is to, *“concentrate the majority of new development in the Main Centres and the Main Centre Outer Areas to maintain the vitality of these areas, and to make provision for limited development in the Local Centres to support and enhance them as sustainable settlements and community focal points and to allow for development Outside of the Centres in identified specific circumstances, in accordance with the Strategic Land Use Plan.”*

Policy S4 goes on to state that, *“Policies exist that seek to protect and manage the built and natural environment while facilitating a viable rural economy and enabling small business development and infrastructure, where appropriate...Outside of the Centres, support will be given for development that meets the requirements of the relevant specific policies of the Island Development Plan.”*

Policy OC1 provides for new residential development Outside of the Centres only, *“where this is achieved through the subdivision of an existing dwelling or the conversion of an existing redundant building.”* The subdivision of a dwelling into two or more self-contained units or into a house for multiple occupation will only be supported where:

- a) The resultant development would be compatible with the character and amenities of the surrounding area; and
- b) The development would be acceptable in terms of provision of a satisfactory living environment and amenities; and
- c) The subdivision would not involve more than a modest extension to the existing building to create adequate accommodation and the extension is not of such a scale that it forms a significant part of any new unit.

The area surrounding the site comprises residential dwellings of mixed building types, style and design. The resultant development is of a scale that would be compatible with the character and amenity of the surrounding area. The property will be subdivided to create three two-bedroom residential units of accommodation, all of which will exceed the Guernsey Technical Standards minimum internal space standards and the best practice minimum internal space standards which are published on the Authority's website. The proposed dwellings are all dual aspect, including south facing glazing, and would have adequate daylight and sunlight into each room. The windows in the front elevation of each unit will have good outlook over existing agricultural land to the north.

Private amenity space in the form of separate gardens is provided to the south of each unit that will be subdivided using hedging (details to ensure that these are native to Guernsey can be secured by condition). To the north no details of how the existing patio will be subdivided has been provided, but this can be controlled by condition to ensure that a wall, fence or similar is installed to provide adequate privacy to each unit.

Other than alterations to existing fenestration, the creation of an area of hardstanding and the demolition of various outbuildings, no other external alterations and no extensions are required to the property.

For the above reasons the proposal is considered to comply with the criteria of Policy OC1 of the IDP and the principle of subdivision of the dwelling to provide three units of accommodation is acceptable.

Policy GP8, relating to Design, states a number of criteria that new development will be expected to adhere to in order to achieve a high standard of design which respects and where appropriate enhances the character of the environment. It also requires proposals for new development to consider the health and well-being of the occupiers and neighbours of the development by means of providing adequate daylight, sunlight and private/communal open space.

The outbuildings proposed to be demolished are of no architectural merit and do not contribute to the character or appearance of the surrounding area and their demolition is therefore supported. The limited external alterations as proposed are in-keeping with the host dwellings and would not cause harm to the character or appearance of the surrounding area in accordance with Policy GP8.

With regard to privacy the external alterations and subdivision of the dwelling will not result in an unacceptable increase in the potential for overlooking and loss of privacy to surrounding occupiers. The issues relating to the health and well-being of future occupiers has been assessed above. Considering the above the proposal accords with policy GP8 in this respect.

The subdivision of the site will not result in the unacceptable intensification of the use of accesses at the site nor have any adverse impact on the local road network in accordance with Policies IP7 and IP9 of the IDP. Sufficient separate car parking has been provided for each unit and a shed is also proposed for each unit close to the car parking areas which would be suitable to accommodate secure covered cycle parking in accordance with policy IP6 and relevant planning guidance. The proposal would therefore not impact on highway safety.

With regard to Policy GP9: Sustainable Development, it has been demonstrated that the proposed development will comply with Building (Guernsey) Regulations 2012 and therefore has taken into account the use of energy, resources and any adverse impact on the environment.

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.

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

Date: 03/09/2025

