

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 section of outbuilding and erect single storey extension to north elevation of outbuilding. Erect single storey outbuilding to north-east of site to be used for business purposes (Use class 5).

LOCATION: Bon Port Farm, La Rue Gros Jehan, St. Martin.

APPLICANT: Mr J Ferbrache

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: 02/10/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/08/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: SOUP Architects: 482_050 (1) & 100.

Application Ref: FULL/2025/1242

Property Ref: J013240000

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.This permission is solely for the benefit of the applicant and shall not run with the land. When the dwelling and premises cease to be occupied by Mr J Ferbrache, the use of the new storage building hereby permitted shall cease and the site shall revert back to Residential Use Class 1, domestic curtilage in association with Bon Port Farm. Reason - The use is acceptable only as a small scale, business from home, in accordance with Policy GP14. A stand alone use for storage and distribution would be contrary to other IDP policies.

5.The development hereby approved shall be operated in accordance with the information submitted by the Agent/applicant by letter dated 21/07/2025 and email dated 26/09/2025.

Reason: To ensure there is no harmful impact on neighbouring amenity or visual amenity.

6.No activity shall be carried out and no deliveries received at or despatched from the site outside the hours of 8.00 am to 6.00 pm Monday to Friday, and 9.00 am to 1.00 pm on Saturdays, nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the character and amenity of the area and living conditions of any surrounding residential properties.

7.No industrial activity or external storage of any kind shall take place at the site, other than that hereby approved with the storage building.

Reason - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents, and to protect the open landscape character of the area.

8.The extension to the existing garage hereby permitted is for domestic use only, in association with Bon Port Farm and is not to be used for business purposes.

Reason: For the avoidance of any doubt and to safeguard the amenity of the area.

Expiry Date: This permission will cease to have effect on 01/10/2028 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/2025/1242
Property Ref: J013240000
Valid date: 18/08/2025
Location: Bon Port Farm La Rue Gros Jehan St. Martin Guernsey GY4 6EW
Proposal: Demolish section of outbuilding and erect single storey extension to north elevation of outbuilding. Erect single storey outbuilding to north-east of site to be used for business purposes (Use class 5).
Applicant: Mr J Ferbrache

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. This permission is solely for the benefit of the applicant and shall not run with the land. When the dwelling and premises cease to be occupied by Mr J Ferbrache, the use of the new storage building hereby permitted shall cease and the site shall revert back to Residential Use Class 1, domestic curtilage in association with Bon Port Farm.

Reason - The use is acceptable only as a small scale, business from home, in accordance with Policy GP14. A stand alone use for storage and distribution would be contrary to other IDP policies.

5. The development hereby approved shall be operated in accordance with the information submitted by the Agent/applicant by letter dated 21/07/2025 and email dated 26/09/2025.

Reason: To ensure there is no harmful impact on neighbouring amenity or visual amenity.

6. No activity shall be carried out and no deliveries received at or despatched from the site outside the hours of 8.00 am to 6.00 pm Monday to Friday, and 9.00 am to 1.00 pm on Saturdays, nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the character and amenity of the area and living conditions of any surrounding residential properties.

7. No industrial activity or external storage of any kind shall take place at the site, other than that hereby approved with the storage building.

Reason - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents, and to protect the open landscape character of the area.

8. The extension to the existing garage hereby permitted is for domestic use only, in association with Bon Port Farm and is not to be used for business purposes.

Reason: For the avoidance of any doubt and to safeguard the amenity of the area.

OFFICER'S REPORT

Brief Description of the site:

The application site is located on the headland to the east of Saints Bay, a long narrow plot occupied by a dwelling with outbuilding to the front garden.

The site is located Outside the Centre as designated in the Island Development Plan and is also within the Agriculture Priority Area (APA).

Relevant History:

N/A

Existing Use(s):

01 Residential Dwelling

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

✓
✓
✓
✓

visual amenity acceptable
no material neighbour impact
traffic not affected

✓
✓
✓

Policies considered most relevant:

GP14- Home Based Employment
GP8 – Design
GP9 – Sustainable Development
GP13- Householder Development

Conclusion/Brief comment:

The main issues in this instance are the principle of the development and the impact on neighbours and the landscape character.

The application is for a small extension to the existing garage, for domestic purposes in connection with the main dwelling, Bon Port Farm. This small scale extension to the existing building is considered acceptable under GP13 as it remains in residential use.

The proposal also includes a single storey outbuilding to the north-east of the site to be used for business purposes. The application explains that the applicant has a small contracting business which primarily includes window and door maintenance, and for which additional small scale storage is required.

Policy GP14 of the IDP supports proposals which involve the erection of new buildings within the curtilage of a dwelling to support home based employment, provided that they accord with all other relevant policies of the Island Development Plan. For the avoidance of doubt, development proposed under this policy is considered to be ancillary to the principle residential use of the site and does not represent a new storage and distribution unit. The policy allows for the use of a building within the curtilage, for the purpose of a business carried out by the occupier. The policy explains that uses which may be considered acceptable as home-based working typically employ a low number of people, have a low intensity of use, do not require a significant level of support services and are of a scale and form which do not detract from the character of the surroundings. Uses which may be considered acceptable include minor office uses, as well as small scale operations such as workshops and goods storage which can be reasonably carried out from a residential property.

Compliance with the policy relies on the use of the site remaining clearly in residential use by the occupier, and as the main dwelling remains in residential use this is considered to be acceptable. A condition will be used to ensure that once the use ceases the development reverts to the principal residential use of the site to

prevent the proliferation of a stand- alone storage and distribution use which would otherwise have been unacceptable in this location.

The application includes information regarding the use proposed. This confirms that the site is likely to be accessed twice a day, with a total of two employees, including the occupant. Usually there would only be one work vehicle parked at a time with no external storage required and no visiting members of the public.

This level of usage, as described by the applicant, is considered to be small scale and low intensity, which is unlikely to generate significant and regular levels of noise, disturbance or disruption to neighbours.

The visual impact of the proposal must also be assessed as the site is relatively open with views across the site and towards Saints Bay, located on a prominent southern headland which is more sensitive than a central island location would be. The new building is proposed within the residential curtilage and although forward of the dwelling, it is adjacent to the existing garage and the road where the existing boundary hedging is mature. The position proposed means the storage building forms part of a small group of buildings, and so is less intrusive in the open landscape. On balance, this is considered to be acceptable.

In summary, the information provided by the applicant has justified the consideration of the proposal as an appropriate small-scale home business which remains ancillary to the main residential use of Bon Port Farm, and the proposal will not lead to an unacceptable detrimental impact on the amenity of the area or the amenities of nearby residents. This means the proposal is in accordance with Policy GP14 of the IDP. The visual impact is also considered to be acceptable, on balance, in accordance with Policy GP1.

The proposed garage extension is also appropriate under GP13 as the design and scale are appropriate and it remains in domestic use.

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.

Recommendation:

Grant with Conditions



Date: 29/09/2025