

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 existing building, erect dwelling and bike store and associated works, change of use of agricultural land to domestic garden (1,400sqm) (revised scheme).

LOCATION: Wyland, Les Rouvets Road, Vale.

APPLICANT: Mr J Herve

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: 20/10/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 05/09/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Arch+ Ltd: 230-3-301A, -302A, -303A, -304A, -305A & -306A.

Application Ref: FULL/2025/1449

Property Ref: C02039A000

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. 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.

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

5.The development hereby permitted shall be constructed in accordance with the details shown on the application drawings and there shall be no occupation of the dwelling until the solar panels have been installed and made operational.

Reason - In the interests of sustainable development.

6.The cycle store hereby approved shall be constructed prior to the first occupation of the approved dwellinghouse.

Reason - To encourage the use of bicycles as an alternative to the car.

7.The landscaping scheme shown on drawing 230-3-302 A shall be fully completed, in accordance with the details agreed under the terms of the permission, in the first planting season following the first occupation of any part of the development or completion of 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 - To help assimilate the development into its surroundings and to provide biodiversity enhancements in accordance with the Strategy for Nature SPG.

8.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 19/10/2028 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>.

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/2025/1449
Property Ref: C02039A000
Valid date: 05/09/2025
Location: Wyland Les Rouvets Road Vale Guernsey GY6 8NH
Proposal: Demolish existing building, erect dwelling and bike store and associated works, change of use of agricultural land to domestic garden (1,400sqm) (revised scheme).

Applicant: Mr J Herve

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. 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:

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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. The development hereby permitted shall be constructed in accordance with the details shown on the application drawings and there shall be no occupation of the dwelling until the solar panels have been installed and made operational.

Reason - In the interests of sustainable development.

6. The cycle store hereby approved shall be constructed prior to the first occupation of the approved dwellinghouse.

Reason - To encourage the use of bicycles as an alternative to the car.

7. The landscaping scheme shown on drawing 230-3-302 A shall be fully completed, in accordance with the details agreed under the terms of the permission, in the first planting season following the first occupation of any part of the development or completion of 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 - To help assimilate the development into its surroundings and to provide biodiversity enhancements in accordance with the Strategy for Nature SPG.

8. 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.

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>.

OFFICER'S REPORT

Site Description:

Wyland (formerly Martina Lodge) is a detached pitched roof dwelling situated to the rear of frontage residential development in Les Rouvets Road. Land to the north and east of the dwelling falls within the same ownership as Martina Lodge and is currently open and undeveloped land.

The site is located Outside of the Centres as designed in the Island Development Plan. An Area of Biodiversity Importance is situated to the east and a number of Protected Buildings are situated to the northwest and southwest. Part of the proposed entrance driveway falls within a Conservation Area. Two outbuildings exist on the site, adjacent to the east boundary. One to the southwest and the other to the northwest of the dwelling.

Relevant History:

FULL/2019/1988 - Conversion of outbuilding to create a dwelling – Granted 26/11/2020.

FULL/2022/0784 - Demolish existing outbuilding and erect dwelling with associated landscaping and parking – refused

1. Not of broadly the same floorspace as the approved conversion scheme
2. The scheme did not demonstrate that the new building would be constructed so as to significantly enhance sustainable design
3. Biodiversity proposals did not demonstrate meaningful environmental benefits

FULL/2022/1844 - Demolish existing outbuilding and erect dwelling with associated landscaping and parking (revised scheme) – granted (expires 01/11/2025) (two bedroom dwelling (three including the study)

FULL/2025/1021 - Demolish existing building, erect dwelling and bike store and associated works, change of use of agricultural land to domestic garden (revised scheme) – refused. Not of broadly the same volume as the approved conversion scheme

Existing Use(s):

Residential Dwelling (Use Class 1)

Agricultural (Use Class 28)

Brief Description of Development:

The application relates to the demolition of the existing outbuilding, which has an expired permission for its conversion to a dwelling and to construct a single-storey flat roof dwelling (revised scheme to the 2022 approval which currently remains extant and further amended to overcome the 2025 reason for refusal). The dwelling comprises two double bedrooms, a family bathroom, a separate WC and an open plan kitchen, living area along with an attached porch. A wall/timber screened boundary is also proposed to the south of the dwelling, adjacent to the west facing terrace.

The building has been designed with a render, stone and timber clad exterior and a flat roof with parapet details and a rooflight. Solar panels are shown to be provided. A detached cycle store is indicated to be provided. The building is indicated to be positioned further east and north on the plot although still largely within the footprint of the approved redevelopment scheme.

Parking and turning is proposed to the southwest of the dwelling with reference on the plans to permeable block paving. The hardstanding to the north of the bike store is not clearly specified. Tree and hedge planting is also proposed and noted on the plans as being in accordance with the 2022 approval.

The application has been accompanied by supporting information to address how the scheme deals with sustainable design and construction. This proposes, solar panels incorporating a battery backup, a slow release heat store through the stone faced porch, orientation of the main windows and doors to the west elevation to maximise afternoon/evening sun rather than north towards the garden area which could lose heat. Cladding proposed are sustainable and re-usable natural materials and consideration has been given to the matter of privacy to the existing dwelling on the site.

Reference is made to the retention of glasshouse walls and well to acknowledge the site history and shows on the drawings that previously agreed planting will form the biodiversity and Strategy for Nature proposals in this case.

Following the deferral of the application a Site Waste Management Plan has been provided.

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
GP15	Creation and Extension of Curtilage
GP16(A)	Conversion of Redundant Buildings
GP16(B)	Conversion of Redundant Building: Demolition and Redevelopment
IP7	Private and Communal Car Parking
IP6	Transport infrastructure and support facilities
IP9	Highway Safety, Accessibility and Capacity

Strategy for Nature SPG

Parking Standards and Traffic Impact Assessment SPG

Representations:

None.

Consultations:

States Archaeologist commented on a previous application:

By letter dated 6th June 2022 stated the following:

"I would be grateful if you could place an informative notice on this application to the effect that the developers are encouraged to contact the States' Archaeologist, should anything of archaeological interest be uncovered during the works. The site is near the medieval rabbit warren at La Garenne and Les Annevilles Manor, and thus there is some possibility of medieval remains in this area."

Office of Environmental Health and Pollution Regulation

Historic maps of the area indicate that heated glasshouses were once present at the site, including a tank located in the area now proposed for the new dwelling. I therefore have concerns that the area could be contaminated with metals, hydrocarbons, and pesticides. Other sources of contamination could also be present.

Given that ground is to be broken at the site and the application also states that fruit trees are to be part of the planting scheme, I would ask that the applicant is made aware of the risk and I recommend that the multiple sub-section contaminated land condition is imposed with the associated informative note.

Summary of Issues:

The key issues in this case relate to the principle of the proposed development, its design, appearance and potential impact on the character and appearance of the locality and on the amenities of surrounding residential neighbours.

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.

Redevelopment of a redundant building

Policy GP16(B): Conversion of Redundant Buildings - Demolition and Redevelopment allows for the demolition and redevelopment of a building that is able to satisfy the requirements of the conversion of redundant buildings policy (GP16(A)) without the need to implement the permission for conversion by physically carrying out the development. The policy requires that the conversion scheme has first been granted planning permission, that the floor space and volume of the new building is broadly the same 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. In such cases, all other criteria of Policy GP16(B) and all other relevant policies of the Island Development Plan will also need to be satisfied.

Planning permission has previously been granted for the conversion of a redundant building on the site at Wyland. Policies OC1, OC5(B) and GP16(A) have thus been satisfied and the scheme must now be considered with regard to Policy GP16(B) and other relevant policies of the Island Development Plan. Although the conversion scheme has now expired there remains an extant permission for the redevelopment of the site and so criterion a. of Policy GP16(B) has been met. The approved scheme was for a single dwelling which remains the case here and so in this regard criterion b. is also met.

Policy GP16(B) criterion b. specifies that the redevelopment scheme must be of broadly the same floorspace and volume as the approved conversion scheme. The revised scheme has sought to address the issue of volume by omitting the entire pitched roof from the scheme.

	Conversion	Approved redevelopment	2025 refused scheme	Current, revised, proposals	Percentage change (between conversion and current proposed scheme)
Floorspace (m²)	72.84	76.14	75.8	81.83	+ 7.5%
Volume (m³)	234.32	234.36	438.14	223	- 4.9%

The above calculations exclude the proposed, detached cycle store but include the porch which is part of the overall floorspace of the dwelling and demonstrates that the scheme is of broadly the same floorspace and volume as the approved conversion scheme in line with the requirements of Policy GP16(B) b.

Amenities

The building proposed represents a good standard of design that respects the local built and open landscape concerned. Although the building is single storey rather than multi- storey which is considered a more efficient and effective use of land, this matter was addressed as part of the previously approved scheme and is driven, in part, by the limitations of the policy. The proposed single storey building is therefore accepted and given the nature of this, the accommodation could be used in a different way demonstrating accessible, flexible and adaptable accommodation that can respond to people's needs over time.

The siting and layout of the dwelling is such that it will not result in overshadowing, loss of sunlight/daylight or overlooking of any adjoining dwelling and therefore satisfactorily considers the health and well-being of neighbours of the development.

The external space provided to serve the dwelling would be generous and offer an attractive outlook. 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 scheme is therefore satisfactory in relation to GP16(B) c), e) and f) and also GP8 and GP9.

Curtilage

The conversion scheme considered under Policy GP16(A) included a similar extent of curtilage as is now proposed although the current scheme is slightly larger and pushes further east. Whilst there is open land surrounding the site, the building itself would be located adjacent to the west site boundary, well related to the established

dwellings fronting Rouvets Road. Furthermore, the site is well screened in public views and the proposal would not impact on openness in those views. The minor changes to the extent of curtilage proposed are satisfactory when considering the aims of Policies GP15 and GP1 and it is noted that a very low bank with hedge planting has already been undertaken to mark the boundaries between the existing and proposed dwelling.

The drawings note that all planting is to be as previously approved and the level of planting proposed is considered proportionate to the change of use of land proposed. Although not addressed as part of the previous permissions for the site, the issue of potential land contamination has been raised in connection with this application by the Office of Environmental Health and Pollution Regulation and it is appropriate to ensure that this matter is addressed by way of the recommended planning condition, in order to address the matter of public health.

Parking and access

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 scheme therefore accords with the requirements of Policies IP7 and IP9 of the Island Development Plan.

The scheme also incorporates a cycle storage area to enable people to travel by alternative modes of transport (IP6). Although this is not shown to offer covered/secure storage this could be controlled by condition.

Sustainable Development

As detailed above, the application has been supported by information relating to sustainable development and in relation to Policy GP9, providing all elements were implemented, the scheme satisfactorily demonstrates significant enhancements to sustainable design in accordance with criteria d. and Policy GP9.

The scheme has not been accompanied by a Waste Management Plan as required by Policy OC1 which could be requested if the scheme were acceptable in all other respects.

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.

Date: 16/10/2025