

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005
AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS)
ORDINANCE, 2007

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Demolish building, erect dwelling and associated works. Demolish and alter section of the north (roadside) wall to create vehicle access (revised scheme).

LOCATION: Former Retail Unit, Retot Lane, Castel.

APPLICANT: Mr P Crowson

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: 13/11/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 19/09/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd: 7487-07 B1 A, B2, B3 A, B4 A, B6 A.

Application Ref: FULL/2025/1511

Property Ref: D01093A000

Conditions and reasons:-

1.All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2.The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3.The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4.The roadside wall shall be lowered, and all disturbed works shall be made good in accordance with the approved drawings, prior to the first occupation of the dwelling-house.

Reason - to ensure that the dwelling-house is served by acceptable sightlines in light of Policy IP9, prior to it being occupied for the first time.

5.All disturbed works to the roadside boundary wall, together with the stone to be used in the construction of the new granite walls hereby permitted shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone walls used within the application site and Albecq Farm, in accordance with the approved details on drawing ref: 7487-07 B4 A.

Reason - To ensure that all disturbed works, and all new granite walls match as closely as possible to the existing stone walls in the interests of respecting the setting of the protected building and respecting the character of the area and visual amenity.

6.Prior to the first occupation of the dwelling-house hereby approved, full details of the proposed boundaries of the application site, including the east and south boundaries, shall be submitted to and agreed in writing by the Authority. The agreed details shall then be implemented prior to the first occupation of the new dwelling.

Reason - The boundary treatments forming the domestic curtilage associated with the new dwelling are unclear, particularly along the east and south boundaries. The boundary treatments need to be clear as part of this application. FULL/2024/1920 is a separate application which does not involve the creation of a new dwelling-house under Policy GP16(B).

7.No part of the development, hereby permitted, shall be occupied until the bicycle storage area and the allocated parking spaces serving the hereby dwelling-house as shown on drawing ref: 7487-07 B1 A and 7487-07 B3 A have been fully completed.

Reason - To encourage the use of bicycles as an alternative to the car and to ensure the approved off-street parking is provided to take into account Supplementary Planning Guidance - Parking Standards and Traffic Impact Assessment (2016).

8.Prior to the first occupation of the dwelling-house hereby approved, a landscaping scheme, to include those details specified below, shall be submitted to and agreed in writing by the Authority:i) the treatment proposed for all ground surfaces, including hard areas;ii) full details of tree and hedge planting; andiii) planting schedules, noting the species, sizes, numbers and densities of plants.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings and to achieve a good standard of design

9.All planting, seeding or turfing comprised in the approved details of landscaping required as part of the condition above shall be carried out in the first planting and seeding seasons following the occupation of the new dwelling. Any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Authority gives written approval to any variation.

Reason - To ensure that a satisfactory form of development is achieved in the interests of amenity.

10.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 12/11/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

In light of light of Traffic and Highways comments, it is recommended that the position of the proposed bicycle store be located further away from the entrance due to the potential for driver error when accessing the property given the fine margin between the vehicle tracking line and the siting of the store. This would negate the need for a vehicle to reverse out into the road due to the siting of the store.

If works are carried out on site, and contamination not previously identified is found to be present at the site, then no further development should be carried out and the applicant should contact the Office for Environmental Health and Pollution Regulation to establish what remediation works may be required.

It is recommended that as part of a comprehensive landscaping scheme, the proposed landscaping to the front of the site should be of low level to avoid interfering with sightlines towards approaching traffic in the interests of highway safety.

With regards to Condition 6, it is recommended that a new native hedge shall be planted along the east and south boundaries, interspersed with trees as indicated on drawing 7487-07 B1 A to provide suitable demarcation and in the interests of privacy between different properties.

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/2025/1511
Property Ref: D01093A000
Valid date: 19/09/2025
Location: Former Retail Unit Retot Lane Castel Guernsey
Proposal: Demolish building, erect dwelling and associated works.
Demolish and alter section of the north (roadside) wall to
create vehicle access (revised scheme).

Applicant: Mr P Crowson

RECOMMENDATION - Grant: Planning Permission with Conditions:

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4. The roadside wall shall be lowered, and all disturbed works shall be made good in accordance with the approved drawings, prior to the first occupation of the dwelling-house.

Reason - to ensure that the dwelling-house is served by acceptable sightlines in light of Policy IP9, prior to it being occupied for the first time.

5. All disturbed works to the roadside boundary wall, together with the stone to be used in the construction of the new granite walls hereby permitted shall match as closely as possible the type, colour, texture, method of bonding and pointing of the existing stone walls used within the application site and Albecq Farm, in accordance with the approved details on drawing ref: 7487-07 B4 A.

Reason - To ensure that all disturbed works, and all new granite walls match as closely as possible to the existing stone walls in the interests of respecting the setting of the protected building and respecting the character of the area and visual amenity.

6. Prior to the first occupation of the dwelling-house hereby approved, full details of the proposed boundaries of the application site, including the east and south boundaries, shall be submitted to and agreed in writing by the Authority. The agreed details shall then be implemented prior to the first occupation of the new dwelling.

Reason - The boundary treatments forming the domestic curtilage associated with the new dwelling are unclear, particularly along the east and south boundaries. The boundary treatments need to be clear as part of this application. FULL/2024/1920 is a separate application which does not involve the creation of a new dwelling-house under Policy GP16(B).

7. No part of the development, hereby permitted, shall be occupied until the bicycle storage area and the allocated parking spaces serving the hereby dwelling-house as shown on drawing ref: 7487-07 B1 A and 7487-07 B3 A have been fully completed.

Reason - To encourage the use of bicycles as an alternative to the car and to ensure the approved off-street parking is provided to take into account Supplementary Planning Guidance - Parking Standards and Traffic Impact Assessment (2016).

8. Prior to the first occupation of the dwelling-house hereby approved, a landscaping scheme, to include those details specified below, shall be submitted to and agreed in writing by the Authority: i) the treatment proposed for all ground surfaces, including hard areas; ii) full details of tree and hedge planting; and iii) planting schedules, noting the species, sizes, numbers and densities of plants.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings and to achieve a good standard of design

9. All planting, seeding or turfing comprised in the approved details of landscaping required as part of the condition above shall be carried out in the first planting and seeding seasons following the occupation of the new dwelling. Any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Authority gives written approval to any variation.

Reason - To ensure that a satisfactory form of development is achieved in the interests of amenity.

10. 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

In light of light of Traffic and Highways comments, it is recommended that the position of the proposed bicycle store be located further away from the entrance due to the potential for driver error when accessing the property given the fine margin between the vehicle tracking line and the siting of the store. This would negate the need for a vehicle to reverse out into the road due to the siting of the store.

If works are carried out on site, and contamination not previously identified is found to be present at the site, then no further development should be carried out and the applicant should contact the Office for Environmental Health and Pollution Regulation to establish what remediation works may be required.

It is recommended that as part of a comprehensive landscaping scheme, the proposed landscaping to the front of the site should be of low level to avoid interfering with sightlines towards approaching traffic in the interests of highway safety.

With regards to Condition 6, it is recommended that a new native hedge shall be planted along the east and south boundaries, interspersed with trees as indicated on drawing 7487-07 B1 A to provide suitable demarcation and in the interests of privacy between different properties.

OFFICER'S REPORT

Site Description:

The property, known as the former Army and Navy Stores, consists of a single storey flat roof building which forms the corner of Retot Lane. Whilst the building consists of a traditional, granite stone structure with a painted rendered appearance to the front, the building has little architectural merit. The building is located on the boundary with a neighbouring property known as La Chaumiere.

The building lies to the west of Albecq Farm, which itself is subject to various applications to extend and renovate the property. A right-of-way exists over Albecq Farm to access the rear of the building in question. Albecq Farm is a protected building.

The property is located Outside of the Centres as defined in the Island Development Plan.

Planning permission was granted in 2023 to convert and alter the former Army and Navy Stores building to a dwelling-house (application reference; FULL/2023/0265).

Planning permission was later refused in 2024 to demolish and rebuild the (former Army and Navy Stores) building south of the existing structure (FULL/2023/2199). The reason for refusal was based on the size of the floor area and volume of the proposed dwelling, when compared to the existing structure.

Planning permission was granted in 2024 (FULL/2024/0775) to demolish the building and erect a dwelling-house, south of the existing store. The dwelling was single storey towards the front (north) elevation and two storey to the rear, due to the change in ground levels. For the avoidance of doubt, the permission remains extant.

Planning permission was refused earlier this year (2025) to demolish the building, erect dwelling and associated works. The refusal also involved the demolition of a section of the north (roadside) wall to create a vehicular access. The application was refused based on the following reasons:

1. Demolition of a section of the traditional roadside wall to create a new vehicular access point would result in significant road safety concerns by virtue of restricted sightlines when egressing from the site, and that the proposed access point would be located in a hazardous position on a sharp bend, with poor visibility, along Retot Lane. The proposal fails to comply with Policy IP9 (Highway Safety, Accessibility and Capacity).
2. Demolition of a section of the traditional roadside wall to create a new vehicular access point would result in the unnecessary loss of a distinctive

feature that positively contributes to the character and local distinctiveness of the area. The proposal fails to comply with Policy GP8 (Design).

Relevant History:

Reference No	Description	Decision	Date
FULL/2025/0793	Demolish building, erect dwelling and associated works. Demolish a section of the north (roadside) wall to create vehicle access.	Refused	2025
FULL/2024/1920	Change of use of agricultural land to domestic garden (928sqm) (site of protected building).	Granted	2025
FULL/2024/1511	Variations to previously approved plans to demolish existing building and outbuilding, erect dwelling with associated works and erect shed to north boundary (revised scheme) - Relocate external staircase to west elevation (rescind Condition 4) and change external material finish to render to east, south and west elevations.	Granted	2024
FULL/2024/0775	Demolish existing building and outbuilding, erect dwelling with associated works and erect shed to north boundary, (revised scheme).	Granted	2024
FULL/2023/2199	Demolish existing building and section of outbuilding, erect dwelling with associated work and erect shed to north boundary.	Refused	2024
FULL/2023/0265	Convert and alter building (Retail Use Class 10) to create dwelling (Residential Use Class 1).	Granted	2023

Existing Use(s):

General retail (Former Army and Navy Stores).

Brief Description of Development:

A revised application has been submitted which seeks planning permission to demolish the building, and erect a dwelling with associated works. The application also involves the demolition and alteration to the roadside wall in order to create a vehicle access.

The proposal involves lowering the height of the roadside wall in attempt to improve sightlines when egressing from the proposed access, as well as centralising the access point.

The design of the proposed house has also changed, primarily with its position set further away from the west boundary, the scale of the house reduced, the adoption of a shallower asymmetrical roof, as well as the construction of a solid granite wall on the façade elevation in attempt to conceal the dwelling when viewed from the north.

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

OC1: Housing Outside of the Centres
OC4: Retail Outside of the Centres
GP5: Protected Buildings
GP8: Design
GP9: Sustainable Development
GP16(A): Conversion of Redundant Buildings
IP7: Private and communal parking
IP9: Highway Safety, Accessibility and Capacity

Supplementary Planning Guidance – Parking Standards and Traffic Impact Assessment (2016)

Representations:

The Authority has received representation from one party objecting to the proposal.

Whilst it is acknowledged that the representation is generally in support of the revised application, which is considered to be a *much-improved design, height, and location of the proposed dwelling on the site*, the following concerns are grounds for objection, which include:

- The proximity of the new vehicle access.
- The height of the proposed new granite roadside wall.
- The height of the adjoining and existing west boundary wall.
- The height of the new property, in relation to existing ground level.
- Reference made to Condition 4 of application FULL/2021/2647 to block up the existing access, to ensure the dwelling was served by one access point, in the interests of highway safety and visual amenity.
- Recommended condition to ensure low level planting only to front of new access.
- Ambiguity over the height of wall to west of proposed access point.
- Recommended condition to require the vehicle entrance to remain as existing and the approved shared access with Albecq Farm.
- Ambiguity over the height of the boundary wall to the west of the proposed dwelling. The height not stated on the elevation plans.
- Condition 4 of application ref: FULL/2024/0775, required the height of boundary wall to be increased to no less than 1.7m above finished ground level.

- Waste dumped on applicant's land during construction phase of the development, and potential concerns over reuse of the soil.
- Recommended condition to require that the sit be cleared of all unusable material prior to the commencement of any building.

Consultations:

Traffic and Highway Services comments:

A site visit has been undertaken by the Traffic and Highways Services (THS) Officer, and the following observations are noted. This application is a revision of the previously submitted proposal (FULL/2025/0793), which THS opposed on grounds of road safety and traffic management.

The site is located on Le Retot, a road classified as a neighbourhood route. The existing building directly abuts the carriageway and was formerly used as a retail unit. It currently lacks vehicular access, and while the proposed development would constitute an intensification of use, THS does not consider this to be significant. The application seeks to remove a section of the front boundary wall to create a 4.5m-wide vehicular access at the western edge of the site. Additionally, the wall to the east of the proposed access is to be scalloped down to a height of 900mm to improve visibility.

The proposed access is situated at the northwestern corner of the site, adjacent to a right-angled bend. As a result, oncoming traffic will approach from the east, while vehicles travelling south will approach in clear view directly towards the access point.

Using a datum of 2m from the carriageway edge, sightlines have been assessed using the submitted drawings. The achievable sightline for oncoming traffic is calculated at 31m, which falls marginally short of the 33m standard required by technical guidance. However, THS considers this acceptable due to the following factors:

- *Le Retot is a quiet neighbourhood road with low traffic volumes.*
- *Although the posted speed limit is 25mph, vehicle speeds at the location were seen to be between 15–18mph, as vehicles are emerging from a tight, blind left-hand bend.*

THS also notes that the revised access has been positioned more centrally within the site frontage, which improves the ability of a representative vehicle to turn in from the east without encroaching into the path of oncoming traffic. While this arrangement is workable, it offers limited tolerance for driver error. To further mitigate potential road safety and traffic management concerns—particularly in the event that a vehicle exceeds the representative dimensions—THS recommends relocating the proposed cycle store further south, adjacent to the western boundary wall, rather than its current proposed location near the site access.

In conclusion, THS supports this revised application, subject to the concerns outlined above. The proposed access arrangement is considered acceptable in the context of local traffic conditions and vehicle speeds, and the suggested amendment to the cycle store location would further enhance safety and operational efficiency.

The Office of Environmental Health and Pollution Regulation's comments:

I have reviewed the proposed plans to demolish a building, erect a dwelling and associated works at the above site. There is an issue of concern that I must raise.

Although this office was not part of the consultation process for the previously approved applications under reference FULL/2024/0775, having reviewed the proposals under this application I have concerns regarding the potential for contaminated land due to the presence of historical greenhouses on the site.

I also note that the plans include reference to onsite crushing of material. I would like to highlight to the applicant that crushing must be carried out by a person holding an Air Pollution Licence issued by the Director of Environmental Health and Pollution Regulation.

To ensure safe development, I would recommend that the following condition is attached to any consent granted for this application:

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:*
- 2. *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,

l 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) of this condition that any remediation scheme required and approved under the provisions of subsection (i) 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;*
- c. 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) of this condition.

Informatives/Advice Notes

With reference to condition **XX** 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>.

I would be grateful if these issues are considered during the determination of this application.

Summary of Issues:

- Whether the design of the proposed development is acceptable, including the alterations to the dwelling-house.
- Whether the proposed vehicle access point is acceptable and would not negatively impact on highway safety or traffic management.
- The impact of the development on the character and appearance of the area.
- The impact of the development on neighbour amenity.
- The impact on the setting of the adjacent protected building.

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.

The principal planning policy relevant in determining this application is Policy GP16 (B) (Conversion of a redundant building). Each criterion of Policy GP16B is set out and addressed below.

Policy GP16 (B) states that:

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

- a. the conversion scheme has first been granted planning permission; and,*

Considerations to the loss of the retail unit, the conversion of the building and the creation of curtilage have already been assessed and approved as part of the previous scheme, FULL/2023/0265, and therefore satisfies criterion a) of Policy GP16(B).

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

The agent has provided calculations of floor areas and volume as noted on drawing 7487-070 B3 A when compared to the original conversion application under application FULL/2023/0265.

The agent has noted that the proposed floor area equates to 59.7sqm, and the volume being approximately 243.9m³. The resultant increase to the floor area and volume, is 19.7% and 5.8% respectively when compared to the original conversion scheme under application FULL/2023/0265.

These increases are acceptable under criterion b) Policy GP16(B).

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

As noted in application FULL/2024/0775, “despite its age, the existing building does not make a particularly positive contribution to the character of the area that would be worthy of retaining as it possesses little architectural merit.”

The replacement building is similar in its overall design to that approved under application FULL/2024/0775 with some alterations to its scale, mass, form, siting and materials. That said, the replacement building on the whole would make an equal contribution to the character of the area, for the purposes of criterion c) of Policy GP16(B) when taking into account the positives and negatives of the proposed development.

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

The agent has demonstrated that the new building will be constructed in such a ways as to significantly enhance its sustainable design, which includes measures such as higher level of insulation, solar panels, air tightness, and reduction of heat loss when compared to the converted dwelling scheme (FULL/2023/0265).

The Site Waste Management Plan also demonstrates how waste associated with the development process is to be minimised, how existing materials are to be reused on or off the site and how residual waste will be dealt with.

As set out as part of application FULL/2025/0793 which was refused planning permission, the single aspect design adopted appears to be a missed opportunity to

improve the quality of the living environment for the future occupiers of the proposed dwelling, together with its sustainable design approach. It was stated that:

“Whilst it is considered that the creation of a dual aspect property, through the incorporation of windows on the façade of the proposed dwelling would have a beneficial effect on the amenity of future occupiers of the dwelling by providing additional light, ventilation and surveillance towards the front garden/parking area; the resultant effect of a single aspect property in this case would not of itself be sufficient to justify refusal.”

Similar to application FULL/2025/0793, the overall design of the replacement dwelling, including its siting, scale, form, mass, bulk, materials and general appearance and sustainability, is acceptable. The revisions made to this scheme achieve a good standard of design for the purposes of Policy GP8 and GP9.

Overall, the application satisfies criterion d) of Policy GP16(B).

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

The location and size of the dwelling is similar, albeit smaller than that previously approved, thereby the effect on the landscape character and openness remains similar to that approved under FULL/2024/0775. It was also noted in the report of application ref: FULL/2024/0775 that:

“...the proposed position of the new dwelling would not have an unacceptable impact on the landscape character and openness of the surrounding area. The proposal would introduce a separation distance between the façade of the new dwelling and the roadside.

Whilst the rear of the site would be more prominent in views across Retot Lane, the rear elevation will be ‘read’ in context with the rear elevation of the farmhouse and the backdrop of neighbouring properties, and therefore is unlikely to have a detrimental effect on the landscape character or openness of the area. The reinforcement of soft landscaping would, in time, enhance the biodiversity of the site and soften the appearance of the development from public vantage points.”

The agent has demonstrated that the new building will be smaller and less prominent in the landscape than that approved under application FULL/2024/0775. The reduction in the scale of the dwelling, alteration to the roof form, and coupled with the large granite walls on the façade of the building, and partway along the east boundary wall, would help to reduce its visual impact on the landscape.

The openness of the area will not be majorly affected given that the application site is bounded by the surrounding built environment to the north, south and west.

Towards the front of the site, while concerns still remain over the extent of the traditional roadside wall that is to be demolished which will negatively alter the character and appearance of the area to some extent, the degree of harm caused would not amount to substantial enough grounds alone to justify refusal when taking into account the improvements to the design with regards to highway safety, and that the wall in question is not located within a Conservation Area.

It is also acknowledged that the existing door opening serving the former Army and Navy Stores in the roadside wall will be blocked up as shown on the Street Scene Elevation.

Whilst it would have been desirable to block up the existing vehicular access along the north boundary in attempt to offset the harm caused, the loss of a section of the roadside wall, as well as lowering the height of the roadside wall to the east of the proposed access point is considered, on balance, acceptable.

Overall, the proposal complies with criterion d) of Policy GP16(B), GP8 and GP1.

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

The proposal is not considered to adversely affect the amenities of neighbouring residents when taking into account its scale and orientation, coupled with the distance and relationship to neighbouring properties.

The degree of impact is considered to be similar to that approved under FULL/2024/0775. The proposal includes raising the height of a section of the west boundary wall to prevent overlooking the neighbouring property to the west, as highlighted in blue on the Block Plan (drawing ref: 7487-07 B1 A) which corresponds with the West Elevation (From Neighbouring Property, drawing ref: 7487-07 B4 A. The height of the wall from the neighbouring land along section of wall to be raised appears to be approximately 2 – 2.5m above ground level of the neighbouring property. Given that the height of the wall would clearly prevent overlooking, it is not considered to be necessary to attach a condition to the decision.

Overall, due to the changes to the siting, size and design of the proposed dwelling-house, the development is not considered to significantly affect the amenities of neighbouring residents, with regards to overlooking, overshadowing or overbearingness.

Consequently, the proposal complies with criterion f) of Policy GP16(B), GP8 and GP9.

Other matters:

Whether the proposed vehicle access point is acceptable and would not negatively impact on highway safety or traffic management.

In light of light of Traffic and Highways comments, the revised scheme improves sightlines and therefore does not raise any material concern with regards to highway safety or traffic management. The roadside wall will be scalloped down from approximately 2.2m to 900mm high.

THS have noted a potential issue with the position of the proposed bicycle store and the practical use of the access. However, given that the proposed tracking lines of vehicles do not intercept with the position of the proposed bicycle store, it is recommended that an informative be attached to the decision to advise the applicant and agent that the bicycle store should be located further away from the entrance due to the potential for driver error when accessing the property given the fine margin that exists between the vehicle tracking line and the siting of the store and the limited tolerance for diver error. By moving the store in the manner suggested would negate the concerns raised by THS.

The application satisfy the provisions of Policy GP8 as the development is considered to achieve a 'good' standard of (functional) design, and does not adversely impact on highway safety and traffic management (Policy IP9), and accords with Policy IP7.

The proposed bicycle provision takes into account Supplementary Planning Guidance – Parking Standards and Traffic Impact Assessment (2016).

The impact on the setting of the adjacent protected building:

It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting protected buildings, to secure so far as possible that the special historic, architectural, traditional or other special characteristics (including setting) are preserved. This duty is reflected in Policy GP5 of the IDP.

With regards to the impact of the development on the setting of the protected building, it would be preferable to retain the roadside walls as they currently are, retain the approved shared access as per application ref: FULL/2024/0775, and to access the proposed dwelling through the proposed eastern boundary wall as it would have less of an impact on the character of the area and on the setting of the protected building.

However, when taking into account that the site is not located within a Conservation Area, and that the wall itself is not protected, the harm caused is, on balance, not considered to be so substantial to justify refusal, given that that the alterations to the wall would satisfy highway safety concerns.

As set out previously as part of application ref: FULL/2025/079, the proposed scheme introduces new tall granite walls along the east boundary of the proposed dwelling, although the overall effect on the setting of the protected building would be limited under Policy GP5.

Consequently, the proposal complies with Policy GP5, on balance.

Contamination:

Planning permission was granted earlier this year to change the use of agricultural land to domestic garden, which includes land to the rear of the proposed dwelling-house (FULL/2024/1920). A condition was imposed to ensure that the site is free from contamination, in the interests of public health and safety.

In light of light of Environmental Health and Pollution Regulation's comments, it would be unnecessary and unreasonable to attach a planning condition in respect of addressing potential contamination issues on site given that the extant permission ref: FULL/2024/0775 does not include any contamination condition and therefore could be carried out without such restrictions, but more importantly the agricultural land to the south of the proposed dwelling-house was subject to a change of use under application ref: FULL/2024/1920, in which a contamination condition was attached and must be address prior to using the land as garden. Consequently, the recommended condition as part of this application should not be attached for the reasons set out above.

3 - General material considerations set out in the General Provisions Ordinance.

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.

The letter of representation has been carefully considered as part of this application, and where appropriate has been addressed above. In respect of other points raised in the representation, a condition was attached as part of a previous application (FULL/2021/2647) to block up the existing access in the interests of highway safety and visual amenity, although the retention of the existing access along the north boundary has been outweighed by a series of planning applications to create a new dwelling-house on site and utilising the existing access point, or the reasonable aspirations of the property owner to create two access points to serve a property (Albecq Farm). Furthermore, THS have not objected to the principle of two access points adjacent to one another with regards to highway safety as part of this application.

In addition, it would be unreasonable to attach conditions regarding the clearance of all unusable material and/or waste material prior to the commencement of works, or conditioning low level planting at the front of the site, as this would be considered as part of a comprehensive landscaping scheme.

As always, any planning permission that might be granted would be without prejudice to the normal legal rights and privileges of third parties.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Trees or on SSS's. The effect of the development on the setting of the protected building is set out above.

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Date: 13/11/25

