

**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:** Convert building/barn to dwelling, demolish section of conservatory, erect walls and remove section of roadside wall to east to create pedestrian access. Change of use of agricultural land to domestic garden (161sqm).

**LOCATION:** Primula, Rue Du Gele, Castel.

**APPLICANT:** Mr & Mrs P Sherbourne

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:** 03/12/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/10/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** JG Architecture Ltd: 2521/02.01A & 02.02A.

**Application Ref:** FULL/2025/1564

**Property Ref:** D00477A000 + D004780000

**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.No landscaping shall be undertaken until a landscaping scheme, setting out full details of tree and hedge planting, including planting schedules, noting the species, sizes, numbers and densities of plants, has been submitted to and agreed in writing by the Authority.

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 in accordance with the Strategy for Nature.

5.The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, 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 make sure that the appearance of the completed development is satisfactory, to help assimilate the development into its surroundings and in accordance with the Strategy for Nature.

6.Prior to installation, full details of the solar panels shown on the approved drawings shall be submitted to and approved by the Authority. No part of the building or development hereby permitted shall be used or occupied until the approved panels have been installed and made operational, and all other sustainable design features set out in the letter dated 26/09/2025 have been implemented.

Reason - In the interests of sustainable development, these features having been proposed to address the requirements of Island Development Plan Policy GP9.

7.No part of the building or development hereby permitted shall be used or occupied until the agreed scheme for cycle storage has been fully implemented. The provision for cycles shall be retained at all times.

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

8.The first floor glazing in the east elevation shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent) to a level 1.7m above finished first floor level and no part of the building or development hereby permitted shall be used or occupied until that obscure glass has been installed. The obscure glazing shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

9.The rooflights hereby approved to the north and south roofslopes shall have a minimum cill height of 1.7m above finished first floor level.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

**Expiry Date: This permission will cease to have effect on 02/12/2028 unless development is commenced by that date.**

**ADVICE AND OTHER REMARKS:-**

There may be a risk of land contamination at this site. If, during development, contamination not previously identified is found to be present at the site it is recommended that the Office for Environmental Health and Pollution Regulation be contacted for advice.

**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](http://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](mailto: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/2025/1564  
**Property Ref:** D00477A000 + D004780000  
**Valid date:** 08/10/2025  
**Location:** Primula Rue Du Gele Castel Guernsey  
**Proposal:** Convert building/barn to dwelling, demolish section of conservatory, erect walls and remove section of roadside wall to east to create pedestrian access. Change of use of agricultural land to domestic garden (161sqm).

**Applicant:** Mr & Mrs P Sherbourne

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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## **INFORMATIVES**

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## **OFFICER'S REPORT**

### **Site Description:**

The application site comprises an existing dwellinghouse (Primula) and associated domestic curtilage, including ancillary structures, and a strip of agricultural land running along the south boundary, with a 1.5 storey stone building located at the eastern end.

The site is bounded by the Rue du Gele to the east, with residential properties located to the west, south and across the road to the east. The site is accessed from a shared driveway running along the north boundary, which also provides access to the dwellings to the west. To the north of the driveway is open land.

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

### **Relevant History:**

FULL/2025/0530 Change of use of agricultural land to domestic garden (160sqm), including conversion of barn to ancillary outbuilding. Withdrawn 19/05/2025

Pre-application advice regarding conversion of the existing building.

### **Existing Use(s):**

Residential Use Class 1  
Agricultural Use Class 28

### **Brief Description of Development:**

Permission is sought to convert the existing barn to form a one bed dwellinghouse, including a change of use of the associated land for domestic purposes. As part of the proposals it is also proposed to demolish part of the existing conservatory attached to Primula and to form an open courtyard in that location associated with the new dwellinghouse and with pedestrian access from the adjacent road.

In support of the application the following have been submitted:

- Structural Report prepared by CBL Consulting Engineers;
- A covering letter addressing policy requirements.

To facilitate the conversion the following works are proposed:

- Addition of restraints to existing roof structure;
- Re-pointing of external stonework;
- Replacement of gable peak to west elevation with glazing and securing of upper brickwork with restraints;
- Stabilisation of upper gable section to east elevation with steel frame and installation of glazing;
- Replacement of doors (west & east elevations);
- Infill of existing apertures (west & east elevations);
- Formation of new door and window (north elevation);
- Installation of 2no rooflights to north elevation and 1no rooflights to south elevation;
- Internal alterations, including thermal lining of walls, roof and floors, addition of partitions and stair.

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

|                 |                                                                       |
|-----------------|-----------------------------------------------------------------------|
| S1              | Spatial Policy                                                        |
| S4              | Outside of the Centres                                                |
| OC1             | Housing Outside of the Centres                                        |
| OC5(B)<br>Areas | Agriculture Outside of the Centres – outside the Agriculture Priority |
| GP1             | Landscape Character and Open Land                                     |
| GP8             | Design                                                                |
| GP9             | Sustainable Development                                               |
| GP13            | Householder Development                                               |
| GP15            | Creation and Extension of Curtilage                                   |
| GP16(A)         | Conversion of redundant buildings                                     |
| IP6             | Transport Infrastructure and Support Facilities                       |
| IP7             | Private and Communal Car Parking                                      |
| IP9             | Highway Safety, Accessibility and Capacity                            |

Supplementary Planning Guidance:  
Parking Standards and Traffic Impact Assessment  
Strategy for Nature

**Representations:**

None received.

**Consultations:**

*The Office for Environmental Health and Pollution Regulation* commented on the previous application at this site as follows:

I note that the land parcel is relatively small and now lies within a residential setting, surrounded by domestic properties. However, I have concerns regarding the potential presence of land contamination due to the historic siting of glasshouses on the site and surrounding land parcels.

It is not known whether any land contamination assessments have previously been undertaken in relation to this or adjacent sites. While the risk is uncertain, the historical agricultural use raises the potential for contamination from sources such as heavy metals, hydrocarbons, and pesticides, among others.

Given the limited size of the site and the context of surrounding land having already been converted to residential use, it is considered that recommending a full land contamination condition would be disproportionate in this case.

Nevertheless, I recommend that the applicant is made aware of the potential for contamination associated with the site's historical use. If any evidence of contamination is encountered during any future landscaping or groundworks, I advise that appropriate investigation and, if necessary, remediation should be undertaken.

**Summary of Issues:**

Whether the proposal would comply with policy.

**Assessment against:**

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

### Policy context and the principle of residential development

The Spatial Policy of the Island Development Plan (IDP), expressed through Policy S1 (Spatial Policy), is to, *“concentrate the majority of new development in the Main Centres and the Main Centre Outer Areas to maintain the vitality of these areas...and to allow for development Outside of the Centres in identified specific circumstances, in accordance with the Strategic Land Use Plan (SLUP)”*.

The approach to development set out within the SLUP and the Spatial Policy of the IDP is reinforced through Policy S4 (Outside of the Centres) and the introduction to Part 3 of the IDP *Policies for Outside of the Centres* which, whilst acknowledging that the Plan makes provision for certain types of development Outside of the Centres, states that proposals for new housing will not generally be supported.

In exceptional circumstances, in relation to housing, the IDP does however recognise the potential opportunity to convert and reuse redundant buildings. The balance in terms of housing provision outside of the centres is however to protect the physical environment and to ensure that the spatial strategy of the Plan is not undermined. To this end, any proposal to create housing must comply with a series of rigorous tests, summarised in Policy OC1 (Housing Outside the Centres) and encapsulated in Policy GP16(A) (Conversion of redundant buildings) in the IDP.

### Conversion of the existing building

The proposal is addressed against the criteria of Policy GP16(A) below.

*a. It is demonstrated that the building is no longer required or capable of being used for its current or last known purpose;*

The submitted information states that the building is believed to have been a blacksmiths forge before being used as a store for the adjacent agricultural land, when the associated ownership comprised a larger farmstead. The land around the site has subsequently been developed for residential use, and the site now comprises a small section of agricultural land divorced from any wider land in that use. Given the context of this site, and the close proximity to residential property, it is accepted that the building is redundant from its last known purpose.

*b. The conversion will result in the establishment of either residential, social and community, industrial, storage and distribution, convenience retail in coastal locations in accordance with Policy OC4, visitor accommodation or office use or provide facilities for outdoor formal creation or informal leisure and recreation uses;*

The proposal would result in the establishment of a residential use.

*c. The existing building is of sound and substantial construction and is capable of conversion without extensive alteration or rebuilding;*

Following the approach taken by the Planning Tribunal in relation to an appeal under GP16(A) (Rue Coutance Ref: PAP/008/2019), this criterion must be assessed in two parts. Firstly, whether the building is of sound and substantial construction (in relation to the use originally intended), and secondly, an assessment as to whether the building is capable of conversion without extensive alteration or rebuilding.

In respect of the first point, a Structural Report has been provided in support of the application. That report notes that the building is robust in its construction and is free of any significant foundation movement or structural displacement, notwithstanding the loss of the upper section of brickwork to the west gable or the leaning brick panel above the east gable access doors.

In relation to the second part, the floor space of the existing building exceeds the requirements of the Guernsey Technical Standards to form a dwellinghouse and would therefore, in principle, be capable of conversion for such use.

The works proposed to facilitate the conversion are set out in the Brief Description of Development above. In determining the previously cited appeal, and taking into account paragraph 19.17.7 of the IDP, the Tribunal concluded that work necessary to bring the building fabric up to current Building Regulation standards in terms of freedom from damp and thermal and sound insulation, together with the installation of internal partitions, are known to be a common feature of schemes involving the conversion of buildings and therefore such works were considered to be neutral in terms of their impact on the objectives of Policy GP16(A). The remaining works proposed to the building, as itemised above, are not considered to amount to extensive alteration or rebuilding.

*d. The proposal would have no adverse impacts on the special interest of a protected building and that such interest is appropriately and proportionately preserved and, where possible, enhanced;*

The buildings at the application site are not protected, nor are there protected buildings located within the vicinity.

*e. The proposals would have no unacceptable impacts on the contribution a building of character makes to the character and appearance of the area;*

This criterion reflects the requirements of Policy GP8, which require a development to achieve a good standard of design which makes an efficient and effective use of land and respects the character of the local built environment, whilst providing soft and hard landscaping where this reinforces local character and mitigates the impacts of the development.

In this case, the existing building is a traditional structure located prominently on the roadside and, notwithstanding the later alterations which have been made, the building and adjacent wall do make a contribution to the character of the area. The

proposed alterations would however achieve a good standard of design which would maintain and enhance that contribution.

Proposed areas of hard surfacing are limited and, as the building and wall are located along the roadside, any proposed soft landscaping would be screened from public view and would not have any impacts in terms of this policy assessment.

*f. the conversion and any ancillary development associated with it can be implemented without having any unacceptable adverse impacts on the character and openness of the landscape;*

The proposal would require a change of use of the land on which the building sits, a 160sqm area, to enable its use for domestic purposes and would also fall to be considered under Policies OC5(B) (Agriculture Outside of the Centres – outside of the Agriculture Priority Areas), GP15 (Creation and extension of curtilage) and GP1 (Landscape Character and Open Land).

The site comprises a remnant of agricultural land of limited size, entirely surrounded by residential property and screened from the road by the barn located to the east of the site. The change of use would have no adverse impacts on openness, landscape character or neighbour amenity. The site is not located within or adjacent to an Agriculture Priority Area or an Area of Biodiversity Importance. The proposal would not result in the loss of any established boundary feature which contributes positively to the character of the area.

The proposal indicates additional native planting to be undertaken along the north and west and parts of the south site boundaries. Subject to provision of a detailed planting scheme, this would be sufficient to address the requirements of the Strategy for Nature in this case.

The proposal includes ancillary development in the form of the creation of an ancillary courtyard to the north, formed by the partial demolition of the conservatory attached to the neighbouring dwelling. These works would be screened from public view, with the exception of the creation of a pedestrian door in the roadside wall, and would not have any adverse impacts on character.

*g. The conversion would not require more than modest extension to the existing building for it to be achieved;*

The proposal does not include an extension to the existing building.

*h. The proposal would have no unacceptable adverse impacts on the amenities and enjoyment of neighbouring properties and the surrounding area;*

This criterion reflects the requirements of Policy GP8d), GP9b) and the material considerations of the Law in respect of the likely effect of the development on the reasonable enjoyment of neighbouring properties.

There are residential properties surrounding the application site and the introduction of an additional residential use, in principle, would be consistent with the surrounding area.

The proposals would retain the existing built form, with limited incursion into the residential property to the north to form a small courtyard. These works would not result in significant impact on the amenity of the property to the north and would not otherwise affect the amenity of other nearby residential properties.

The proposed fenestration to the west would face over the proposed associated garden, the rooflights to the south and north are to be high level and the upper gable glazing to the east is to be obscure glazed to a height of 1.7m. These measures would prevent any overlooking of adjacent property and can be secured by condition.

#### Residential amenity

The converted building would exceed the requirements for a two person dwelling, having regard to the Guernsey Technical Standards and would fall only slightly short of the Nationally Described Space Standards. The layout of the building achieves a good living environment, whilst working within the constraints of the existing building. The size and quality of the outdoor space would be good for a property of this size.

#### Parking and cycle storage provision

Due to the arrangement of the site and the associated limitations, no parking is proposed to be associated with the new dwelling. It is however noted that there is provision for public parking in the vicinity, there is good access to bus routes and secure and enclosed cycle storage is proposed within the new courtyard. On this basis, the absence of on site parking is not considered an adequate reason to resist the application.

#### Sustainability, accessibility and adaptability

In terms of accessibility, it is noted that there is a ground floor accessible WC, open plan living area and adaptable internal layout and that the requirements of the Building Regulations and Lifetime Homes guidance have been considered. Given the constraints associated with the conversion of an existing building, the information provided is considered adequate to address the requirements of Policy GP8 f) & g).

In terms of sustainability, the proposal comprises the re-use of an existing building. Confirmation has been received that the proposed development has been designed to take into account matters of energy efficiency and current Building Regulations, within the constraints of the conversion of an existing structure and solar panels are proposed to the south-facing roof slope. In these circumstances and in the absence

of adopted guidance, the information submitted is adequate to meet the requirements of Policy GP9a).

#### Conclusion

Overall the proposal accords with the purpose of the Law, material considerations and relevant planning policies and approval is recommended, subject to the conditions outlined above.

**Date: 02/12/2025**