

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 buildings; convert, extend and alter building to create dwelling and install air source heat pump, associated works and change of use of agricultural land to domestic garden.

LOCATION: Les Aubrets, Les Aubrets Lane, St. Martin.

APPLICANT: Mr M Belcher

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: 13/04/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 30/09/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton Architects: 2541 03.01B, 03.02C, 03.03B, 03.04B, 03.05C, 03,06B, 03.07A.
A3 Specification of bike shed.
Mitsubishi Electric: PUZ-WM85VAA(-BS)
Air Source Heat Pump Product Information Sheet.

Application Ref: FULL/2025/1566

Property Ref: J013540000

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. (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) 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;
- 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) 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 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.

6. The development hereby permitted shall be constructed in accordance with the notes and details set out in relation to Policies GP9 and GP16(B) d. as shown on the approved plans including the hardstanding, EV charging point, Air Source Heat Pump and solar panels as shown. There shall be no occupation of the approved dwelling until the solar panels, Air Source Heat Pump and electric vehicle charging point to serve it have been installed and made operational.

Reason - In the interests of sustainable development.

7. The cycle store as shown on the approved plans shall be provided prior to the first occupation of the dwelling.

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

8. No occupation of the dwelling shall take place until such time as the parking and turning facilities shown on the approved plan have been completed in accordance with the submitted details.

Reason - To make sure vehicles can enter and leave the site in a forward direction and to provide off-street parking, in the interests of road safety and effective traffic management.

9. The landscaping scheme shall be fully completed, in accordance with the details shown on the approved plans, 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 and to help assimilate the development into its surroundings.

Expiry Date: This permission will cease to have effect on 12/04/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the dwelling called Les Aubrets. The land recognised as domestic curtilage by the Authority excludes the agricultural access track and is identified on the plan enclosed with this decision notice.

To prevent a nuisance or annoyance to nearby residents and having regard to the requirement of the current householder exemption rights the noise level emitted from the air source heat pump or air conditioning unit, when calculated at 1 metre from the outside face of the closest elevation of the nearest neighbouring noise sensitive building, does not exceed 5 decibels below the LA90 level of the background noise measured at that location prior to installation of the pump or unit.

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/2025/1566
Property Ref: J013540000
Valid date: 30/09/2025
Location: Les Aubrets Les Aubrets Lane St. Martin Guernsey GY4 6EX
Proposal: Demolish buildings; convert, extend and alter building to create dwelling and install air source heat pump, associated works and change of use of agricultural land to domestic garden.
Applicant: Mr M Belcher

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. (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 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.

6. The development hereby permitted shall be constructed in accordance with the notes and details set out in relation to Policies GP9 and GP16(B) d. as shown on the approved plans including the hardstanding, EV charging point, Air Source Heat Pump and solar panels as shown. There shall be no occupation of the approved dwelling until the solar panels, Air Source Heat Pump and electric vehicle charging point to serve it have been installed and made operational.

Reason - In the interests of sustainable development.

7. The cycle store as shown on the approved plans shall be provided prior to the first occupation of the dwelling.

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

8. No occupation of the dwelling shall take place until such time as the parking and turning facilities shown on the approved plan have been completed in accordance with the submitted details.

Reason - To make sure vehicles can enter and leave the site in a forward direction and to provide off-street parking, in the interests of road safety and effective traffic management.

9. The landscaping scheme shall be fully completed, in accordance with the details shown on the approved plans, 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 and to help assimilate the development into its surroundings.

INFORMATIVES

The Authority does not recognise all of the land outlined on the submitted plan(s) as forming the domestic curtilage associated with the dwelling called Les Aubrets. The land recognised as domestic curtilage by the Authority excludes the agricultural access track and is identified on the plan enclosed with this decision notice.

To prevent a nuisance or annoyance to nearby residents and having regard to the requirement of the current householder exemption rights the noise level emitted from the air source heat pump or air conditioning unit, when calculated at 1 metre from the outside face of the closest elevation of the nearest neighbouring noise sensitive building, does not exceed 5 decibels below the LA90 level of the background noise measured at that location prior to installation of the pump or unit.

OFFICER'S REPORT

Site Description:

The site comprises of a former horticultural site which was cleared of glass between 1996 and 2004. The application site relates to the eastern section of the site which is separated from the remainder of the agricultural land by a hedgerow and includes 2 buildings related to the former horticultural use and a track providing access to the highway Les Aubrets. The site is bounded by a dwelling to the south-west which is also within the same ownership. The site is located Outside of the Centres.

Relevant History:

FULL/2025/0169 – Convert and extend building to create dwelling, change of use of agricultural land to domestic land (200sqm) and associated works – granted

Existing Use(s):

Agriculture use class 28

Brief Description of Development:

Permission has previously been granted to convert and extend two former horticultural buildings to a two-bedroom dwelling with associated change of use of land (c. 200sqm). This application relates to the demolition of the existing chimney base, greenhouse and garage and the erection of a single-storey extension to be connected to the existing workshop retained as part of the conversion to a two-bedroom dwelling.

As originally submitted the submission outlined that the scheme would offer an improved layout with enhanced living spaces, open plan living and high-quality materials and setting out that the scheme “remains within a similar floor area and volume” as the approved conversion scheme with a very brief statement relation to GP9.

The application was deferred in order for the volume to be revisited given its initial conflict with Policy GP16 and to ensure that the matter of significant enhancement to sustainable design was also addressed. Initially the agent sought to retain the building as originally proposed with additional justification including that to reduce

the volume it would be necessary to reduce the footprint or the ridge height/alter the roof pitch which would be detrimental to the scheme. Following further discussion, the scheme was amended to confirm that the volume would be reduced to see an 11.5% increase in the volume of the development.

In relation to Policy GP9 and GP16 and the matter of “significant enhancement to sustainable design” has been addressed following several deferrals. The drawings have been amended to include information regarding insulation levels and air tightness, U-Values, details relating to the windows and doors, a mechanical ventilation system, air source heat pump, photovoltaics with associated battery storage and surface water drainage. An EV charging point is also noted on the drawings but remains subject to Guernsey Electricity approval.

A Waste Management Plan was submitted during the course of the application.

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

Policy OC1: Housing Outside of the Centres

Policy OC5(B): Agriculture Outside of the Centres – outside the Agriculture Priority Areas

Policy GP1: Landscape Character and Open Land

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP15: Creation and Extension of Curtilage

Policy GP16(A): Conversion of Redundant Buildings

Policy GP16(B): Conversion of Redundant Buildings - Demolition and Redevelopment

Policy GP17: Public Safety and Hazardous Development

Policy IP6: Transport Infrastructure and Support Facilities

Policy IP7: Private and Communal Car Parking

Policy IP9: Highway Safety, Accessibility and Capacity

Representations:

One letter of representation has been submitted supporting the application and noting that the reconsidered development of the old buildings is a very good plan for the effective and attractive use of the site.

Consultations:

The Office of Environmental Health and Pollution Regulation – commented on the previous application (17/03/2025)

“I have reviewed the proposed plans to convert and extend an existing building to create a dwelling, and the change of use from agricultural land to domestic garden at the above site.

I have interrogated Guernsey Historic Maps, Historic Orthophotos, and Cadastre Registry of Land which show there were once heated greenhouses at the site. There is consequently the potential for the land to be contaminated. I would therefore recommend a full contaminated land condition.

Summary of Issues:

The key issues in this case relate to the principle of the proposed partial demolition works, erection of an extension along with the design and appearance of the development and its effect on the character and appearance of the locality and on residential amenity.

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.

Planning permission has previously been granted for the conversion of a redundant building on the site and 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.

Policy GP16(B) sets out that the demolition and redevelopment of a building that accords 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. Given the permission from earlier in 2025, GP16(B) a. has been met.

Policy GP16(B) requires that the redevelopment scheme is of broadly the same floor space and volume as the approved conversion scheme with the number of approved residential units not exceeded. In this case the scheme remains unchanged, as a single dwelling and based on the floor area and volume of the approved conversion scheme the proposed redevelopment proposals would comply with Policy GP16(B) b.

The existing building is not highly visible from outside the site and does not make a particular positive contribution to the character of the area. As proposed the development would make an equal or enhanced contribution to the character of the area in line with criterion c.

The Island Development Plan sets out that a development should have "no increased impact" on the character or openness of an area. The siting of the dwelling and extension will maintain the openness of the area. The location of the dwelling also

ensures that it does not appear entirely isolated from existing built development in the vicinity. The proposed development would not have an adverse impact on the openness of the area and complies with GP16(B) e. and having regard to Policies GP1 and GP8 of the IDP.

Policy GP8 supports development that achieves good design that respects the local character but demonstrates an effective and efficient use of land and uses soft and hard landscape where appropriate to help mitigate and/or assimilate a scheme within its setting. The policy recognises the importance of development of a residential nature to allow for flexibility and adaption to suit needs whilst also assuring that proposals have addressed the health and well-being of the future occupiers and neighbours.

As outlined above, the siting of the building will not result in harm to the openness and character of the area. The proposed dwelling does represent a good standard of architectural design that respects the local built environment in accordance with Policy GP16(B) f., GP8 criteria a) and c) of the Island Development Plan. The development does not represent multi-storey development however has sought to utilise an existing building which is single-storey in height and the limitations of Policy GP16(B) in terms of floorspace and volume would likely prevent multi-storey development being introduced without conflict with that aspect of the policy and may also impact on the design and appearance of the development which could impact on the character of the local built environment. In this regard therefore, the submitted scheme is considered satisfactory when considering the matter of efficient use of land/buildings (Policy GP8 b.).

The siting and layout of the dwelling is such that it will not result in overshadowing, loss of sunlight/daylight or unacceptable overlooking of any adjoining dwelling in accordance with Policy GP8.

The accommodation is on a single level, without stepped access with an open plan layout and the scheme demonstrates accessibility to and within the building for people of all ages and abilities, offering flexible and adaptable accommodation that can respond to people's needs over time in accordance with this aspect of Policy GP8.

Following deferral the submission has been amended in relation to sustainable and construction design (Policy GP16(B) d. and Policy GP9). The revised details offer measurable and precise details of aspects of the scheme such as windows, insulation and air tightness. Furthermore, the drawings highlight the inclusion of solar panels with battery storage and also the inclusion of an air source heat pump (ASHP). The ASHP would, subject to noise generation, represent exempt works but is necessary as part of the package of proposals to address the matter of significant enhancement to sustainable design. The EV charging point is subject to Guernsey Electricity approval so cannot be guaranteed to be secured for the purposes of Policy GP16(B). Its provision will form part of the approval and if its provision cannot be secured at a

later date then this matter will need to be raised and resolved (possibly through the inclusion of some other sustainable design measure(s)) with the Authority.

Based on the information now supplied the Authority can secure sustainable construction measures via planning conditions and demonstrate that the scheme would comply with Policy GP16(B) d. of the IDP (significantly enhance sustainable design).

Policies IP7 and IP9 relate to private car parking and highway safety, accessibility and capacity respectively. 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. No alterations are proposed to the previously approved access which was considered to comply with the IDP. Bicycle storage is provided in line with Policy IP6.

The area of land proposed for garden has not altered from the approved conversion scheme and was considered to meet the aims of Policy GP15. Policy GP1 is also relevant in relation to the impact on open and undeveloped land. There are limited views of the site, and the proposed landscaping would help assimilate the development to its surroundings. There has been no change in the submission nor the policies against which the proposal must be considered and therefore the conclusion regarding the use of land remains unchanged.

The site is not situated in an Area of Biodiversity Importance (Policy GP15 criterion b.). In line with the States' Strategy for Nature, 2020, which has been adopted as Supplementary Planning Guidance, an application involving the change of use of agricultural land to domestic garden must demonstrate environmental benefits in respect of biodiversity that will be incorporated should planning permission be granted. This matter has been addressed and can be managed by condition.

In view of the above it is recommended permission is granted, subject to conditions including:

- Sustainable design measures
- Site Waste Management Plan
- Cycle Storage
- Parking/turning to be provided
- Landscaping
- Land contamination

- Informative note regarding noise associated with the ASHP and the requirements of the Exemptions Ordinance.

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: 13/04/2026

