

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

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Demolish existing dwelling and outbuilding, erect replacement dwelling and associated works.

LOCATION: The Nest, Rue Des Villets, Forest.

APPLICANT: Mr D Bent

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: 23/01/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/11/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: App: 1012 DB & Block Layout Plan.

Application Ref: FULL/2025/1688

Property Ref: H003560000

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 materials to be used on the exterior of the buildings shall be placed on the site until such time as details/samples of those materials have been submitted to the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the development.

Reason - To secure the satisfactory appearance of the completed development.

5. Prior to installation, full details of the solar panels and permeable paving shall be submitted to and approved in writing by the Authority. Prior to occupation of the dwelling hereby approved, the panels shall be installed and made operational and the surfacing laid in accordance with the approved details and all other sustainable design features set out in the application covering letter dated 25/10/2025 shall be implemented.

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

6. 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.

7. If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

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

Expiry Date: This permission will cease to have effect on 22/01/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing buildings may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg.

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/2025/1688
Property Ref: H003560000
Valid date: 04/11/2025
Location: The Nest Rue Des Villets Forest Guernsey GY8 0HP
Proposal: Demolish existing dwelling and outbuilding, erect replacement dwelling and associated works.
Applicant: Mr D Bent

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. No materials to be used on the exterior of the buildings shall be placed on the site until such time as details/samples of those materials have been submitted to the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the development.

Reason - To secure the satisfactory appearance of the completed development.

5. Prior to installation, full details of the solar panels and permeable paving shall be submitted to and approved in writing by the Authority. Prior to occupation of the dwelling hereby approved, the panels shall be installed and made operational and the surfacing laid in accordance with the approved details and all other sustainable design features set out in the application covering letter dated 25/10/2025 shall be implemented.

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

6. 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.

7. If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

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

INFORMATIVES

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing buildings may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société

can be contacted by emailing info@societe.org.gg.

OFFICER'S REPORT

Site Description:

The application site comprises a single storey detached dwellinghouse with adjacent outbuilding located to the south of La Rue des Villets and to the east of Les Villets. Residential properties adjoin the site to the south and east, and across the roads in both directions.

The site is located Outside of the Centres in the Island Development Plan. A protected monument (fountain and wall) is located across the road to the north-west. The nearest protected building and associated features is located over 40m to the west of the application site, on the opposite side of Les Villets. Other protected buildings are located further to the north-west and east of the application site, and cannot be viewed in context with that site.

Relevant History:

Pre-application advice regarding demolition and rebuild.

Existing Use(s):

Residential Use Class 1

Brief Description of Development:

Permission is sought to demolish the existing dwelling and outbuilding at the site and to construct a replacement 4 bed 2 storey dwelling, with hardsurfaced parking area across the north part of the site and an ancillary shed to the east.

The submitted plans also indicate an increase in the width of the existing vehicular access to 4m, under the provisions of the Land Planning and Development (Exemptions) Ordinance, as amended. As this work does not require planning permission it is not considered further as part of this report.

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

- GP5 Protected Buildings
- GP6 Protected Monuments
- GP8 Design
- GP9 Sustainable Development
- GP13 Householder Development
- IP6 Transport Infrastructure and Support Facilities
- IP7 Private and Communal Car Parking

Representations:

One letter of representation received raising the following points:

- The scale and bulk of the dwelling creates an overbearing and incongruous presence in an area recognised for its outstanding natural beauty;
- The design is ultra-modern, visually intrusive and discordant and does not respect the local vernacular;
- The cited example development "Property 3" is largely concealed from the principal road, whereas the application site is in a prominent roadside position;
- The first floor master bedroom and study windows face directly towards property on the opposite side of the road, resulting in unacceptable overlooking of gardens and internal spaces;
- The proposal will result in loss of daylight and sunlight, and have an overbearing impact on neighbouring property.

La Societe Guerneslaise comment as follows:

In respect of this application, we would like to highlight that buildings of this type can be used by roosting bats. This likelihood can increase when the property is located within a variable landscape with habitats such as farmland or woodland nearby. The Bailiwick Bat Survey has shown that there are bat populations in this particular part of the island.

We would recommend that the existing buildings, in particular the roofspaces, be inspected for current or recent use by bats by a suitably qualified person prior to any building works. This would reduce the risk of disturbing or destroying animals which are legally protected under the Animal Welfare Ordinance 2012.

We would further recommend that appropriate provision for roosting bats and certain species of nesting birds be incorporated into the development.

We would request that, if this application is considered further, such wildlife considerations are covered by an appropriate planning condition.

If an informative note is used instead, we would request the following wording -

'Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012, the local Strategy for Nature and the need to comply with their legal provisions. The existing buildings may be used by bats or other wildlife for roosting and nesting. We strongly recommend that the site is inspected by a suitably qualified person prior to any building works. Additional measures should also be taken (including consideration of the timing of the works and provision to support associated wildlife in the long term) to ensure that protected species are not impacted by the works. It

is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted by emailing info@societe.org.gg.

Consultations:

The Office for Environmental Health and Pollution Regulation comment as follows:

I have reviewed the proposed plans for the Nest – to Demolish existing dwelling and outbuilding, erect replacement dwelling and associated works, which were received by email on 2nd December 2025 and there are a number of issues of concern that I must raise. While there have been no greenhouses directly on the land parcel, greenhouses have bordered it. As such there could be a risk of land contamination from migration. I recommend the Planning Authority apply the below discovery strategy as an informative. I note there is also a water course detailed on digi map, as such as an informative please may the applicant ensure any works comply with the Environmental Pollution (Water Pollution) Ordinance, 2022 and do not present a risk a water pollution.

Discovery Strategy

- If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

Summary of Issues:

Impact of the scale, design and finishes of the proposed dwelling on the character of the area;
Impact on the amenities of neighbouring properties.

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 GP13 forms the gateway policy for the proposed development and sets out support for the principle of demolition and rebuild of existing dwellings. The pre-facing text to that policy identifies potential for relocation of the built form, alterations to the scale, form and design of the building and adoption of contemporary design approaches in such circumstances, where this is acceptable in

relation to all other relevant planning policies and the material considerations of the Law.

In this case, the existing dwelling is a single storey pitched roof structure of low profile, set prominently on an open site at the junction of La Rue des Villets and Les Villets. Whilst the wider area may be considered rural in nature, the section of road on which the application site is located is lined on both sides by residential properties of mixed age, form and appearance. Whilst there are vernacular buildings dating from pre-1900 in the area, these are limited to Les Villets to the north-west of the application site, the neighbouring property to the south-west of that property, also known as Les Villets and designated as a protected building, and Les Villets Farm to the north-east of the application site. The majority of the buildings in the immediate area were constructed in the 1960s/70s and reflect the character of that time, notwithstanding later extensions and alterations to those buildings. Two properties located on Les Villets to the south-west of the application site have recently either been rebuilt or undergone significant extension and alteration and have a modern appearance. Those properties are however set back from the application site and, due to the relative positions, topography, surrounding development and vegetation, do not form prominent features in the setting of the application site.

When viewed from La Rue des Villets to the east, the dwelling at the application site is visible at the end of the row of residential properties to the south of that road, viewed against the mature vegetation along the east boundary of Les Villets to the west, and with the upper gable and higher roof of that building visible amongst the vegetation. Vegetation along the roadside boundary of the adjacent property to the east however largely screens the dwelling in longer views from that direction and it does not form part of the setting of the protected buildings in that direction.

From La Rue Des Villets to the west, the existing dwelling can be glimpsed in short views, but is largely screened by the larger building at Les Villets and the vegetation along the east boundary of that property in longer views.

The application site is also visible from Les Villets, running along the west boundary of the site and across the garden of the adjacent property to the south, as the road rises in that direction. The protected building in that direction is however set away from the application site and the proposed works would not impact on the setting of that building. The protected monument to the west of Le Villets is visible in context with the application site, however the proposal would not alter the special interest of that monument.

In views from all directions the existing dwelling is visible in context with the adjacent property to the south-east and the elevated properties located on the north side of La Rue des Villets. Due to the raised land levels to the north of that road, although the buildings on that side of the road are generally single storey, ridge heights on both sides of the road are comparable, between 95-98m above datum,

with the exception of the dwelling at the application site which has a ridge height of 93.08m.

The proposed new dwelling would represent a significant increase in scale over the existing dwelling at the site, however the ridge height would be comparable with those of the surrounding properties, at c96m above datum. The proposed form would result in a greater bulk and mass than surrounding properties, and the selected design takes a contemporary approach. As noted above, Plan policy however allows for individual choice outside of areas of specific designation (e.g. Conservation Areas, Areas of Biodiversity Importance, etc.) and where impacts arising would not be significant, and does not require development to replicate the character or form of surrounding development. Taking into account the character of the immediate area in this case and the mixed forms of development present, it is considered that the form and design proposed would not significantly detract from the character.

The proposed dwelling appears to be finished in render, with the exception of the north-east elevation which appears to have a section of horizontal shiplap cladding, and the roof is to be zinc. This approach would generally be consistent with the appearance of wall and roof finishes in the area, however the notation is not entirely clear, and further details of this finish should be required by condition.

The proposed accommodation incorporates living, sleeping and bathing accommodation at ground floor level, provides appropriate circulation space and level access. The size and layout of the dwelling offers a good level of adaptable accommodation. The proposed accommodation would be accessible, adaptable and flexible.

The Parking Standards do not apply in this location and policy allows for flexibility in respect of householder development. In light of this, and taking into account the size of the proposed dwelling, the proposed parking is acceptable, and furthermore could potentially allow for turning on site, which is not currently available.

There is scope for cycle storage within the proposed shed. Implementation does not need to be required by condition for a development of this scale.

Limited additional soft landscaping is proposed as part of this application, and that planting will have little impact outside of the site, being proposed along the rear section of the east boundary to provide screening planting for the building on the adjacent property as opposed to attempting any amelioration of the proposed development. The proposal does not however comprise a change of use, and therefore the requirements of the Strategy for Nature are not engaged and, whilst planting around the perimeter of the site would soften the site when viewed from the surrounding roads, there is limited existing provision at the site and such planting is not required to render the application acceptable. In this case it is not considered necessary to require either a landscaping scheme or implementation of the landscaping proposed.

Confirmation has been received that the proposed development has been designed to take into account matters of energy efficiency and the current Building Regulations, including through the use of insulation, the type and positioning of fenestration, internal layout, and proposals for solar panels to the outer roof slopes of the dwelling. Surfacing to the parking area is proposed to be permeable and water butt collection points are indicated, allowing management of surface water runoff on site. Implementation of these elements can be controlled by condition and the proposal would therefore be in accordance with Policy GP9 (Sustainable Development).

A Site Waste Management Plan has been provided which is adequate to address the requirements of policy, implementation of which can be controlled by condition.

Taking into account the relationship with the surrounding properties to the south, south-east and north-west, and the layout of those properties, the proposed development would not give rise to any significant adverse impacts on those properties in terms of overshadowing or overbearing. No fenestration is proposed towards the property to the south-east, and the relationship to the property to the north-west would prevent any particular overlooking. The property to the south-west does however include amenity space adjacent to the boundary with the application site. Whilst that amenity space is located between the house and the road, there are robust boundaries to the north and west and views into the space are limited, from the south. The proposal would move the building line of the dwelling at the application site further south, to just under 10m from the boundary at the closest point, and would introduce first floor windows facing the adjacent property. The proposed windows would serve bedroom accommodation, whilst the central pillar of glazing would comprise a void, with the landing set back within the building. This would inevitably give rise to some overlooking of the adjacent property and the perception of such overlooking may be increased by the height of the window to the master bedroom and the central pillar of glazing, albeit that this serves void. On balance however, the distance to the boundary is within the parameters generally considered acceptable when considering relationships between residential properties and the level of impact would not be sufficient to warrant refusal of the application.

The properties across the road to the north of the application site are elevated above the level of the application site and adjacent road. The frontages of those properties are generally in a mixed use of parking and amenity space, with the majority of properties benefitting from additional private amenity space to the rear. The property immediately to the north of the application site (known as Taranaki) does not however appear to benefit from such amenity space and the primary amenity space for that property is located within the property frontage, screened from public view by the elevated position and boundary treatment.

Taking into account the above, together with the relative distances and orientations involved, the proposal would not give rise to any significant overshadowing or

overbearing of the properties to the north. The distances between the proposed dwelling and the dwellings on those properties would be over 18m, sufficient to prevent any significant interface between the internal spaces. The proposal would introduce first floor accommodation with windows facing towards those properties, serving bedrooms and a void over the stairwell. Those windows would however be located over 10m from the boundaries of the opposite properties and, on balance, as above, this would just be sufficient to limit impacts to an extent which would not warrant refusal of the application.

Overall, the extent of impact on neighbouring property is not such that the proposal would conflict with the relevant policies of the Plan or material considerations of the Law.

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. On balance, the proposals accord with the purpose of the Law, material considerations and relevant planning policies and approval is recommended, subject to the conditions set out above.

Date: 23/01/2026

