

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: Erect covered structure/garden room/conservatory and pergola and decking area to south (rear) elevation of property (Protected Building) (Retrospective).

LOCATION: Le Marais Farm Cottage, Rue Du Marais, Vale.

APPLICANT: Mr & Mrs M Thorpe

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: 05/03/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/11/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd: 6595/A/1

Application Ref: FULL/2025/1768

Property Ref: C01522D000

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 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.

Expiry Date: This permission will cease to have effect on 04/03/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

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/2025/1768
Property Ref: C01522D000
Valid date: 06/11/2025
Location: Le Marais Farm Cottage Rue Du Marais Vale Guernsey
GY3 5AH
Proposal: Erect covered structure/garden room/conservatory and
pergola and decking area to south (rear) elevation of property
(Protected Building) (Retrospective).
Applicant: Mr & Mrs M Thorpe

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 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.

OFFICER'S REPORT

Brief Description of the site:

The application site consists of a semi-detached property which is located to the south of Rue Du Marais. The dwelling is part of a two bay, two-storey 18th Century farm building which was converted into a house in the 20th Century with sliding sash windows in the Victorian style and a dormer in a pan-tile roof.

The property is recognised as a Protected Building. The building is listed together under the same notice with the connected house to the west (Le Marais Farm) PB1221 which gives the extent of listing as:

'The whole of the buildings referred to above, including the internal structure with panelling, ogee doorway and fireplace together with the well housing unit and pigsties dated 1858 situated to the rear of the main building and the mounting block fronting the roadside wall all as shown on the plan below.'

As set out in the Channel Island Houses book (John McCormack, 2015), the house is described as 5 bay (which are the windows and doors across the main façade) which implies the main façade is facing south. The south elevation is the traditional 'front' elevation of the old house facing into the garden, and the back of house has a ¼ of a tourelle is visible from the roadside but much has been subsumed into the later 15th Century Chamber wing.

The house had been extended to the south (visible on the pre-1898 map) and the 2001 aerial photograph appears to show a simple flat roofed single storey extension which was then replaced by a traditional 1.5 storey extension under application ref: HAPP/2002/1199.

Retrospective permission is now sought to erect a single-storey, flat roof garden room/conservatory, a pergola/awning and decking area to the south elevation of property. As set out in the agent's letter, the floor (timber decking area) is uninsulated. The structure is separated from the main house, accessed by a set of external doors and consists of a metal frame with full length, retractable, glazing on three sides. It opens out onto a pergola with an awning to the south. this application seeks to regularise the unauthorised works undertaken by the previous owner sometime in 2023/2024.

No Statement of Significance has been submitted as part of the application.

Relevant History:

Reference No	Description	Decision	Date
HAPP/2002/1199	Extend and alter dwelling.	Granted	2002

Existing Use(s):

Residential

Assessment: *(Tick as appropriate)*

no representation

✓
✓
✓
✓

accords with policy

within curtilage

design acceptable

visual amenity acceptable

✓
✓
✓

no material neighbour impact

traffic not affected

Policies considered most relevant:

GP4 Conservation Areas

GP5 Protected Buildings

GP8 Design

GP9 Sustainable development

GP13 Householder Development

Conclusion/Brief comment:Legal and Policy context:

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.

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.

Under Section 38 of The Land Planning and Development (Guernsey) Law, 2005 the Authority has a duty to pay *“special attention to the desirability of preserving and enhancing the character and appearance”* of Conservation Areas. This duty is encapsulated in Policy GP4 (Conservation Areas).

With regards to works in relation to protected buildings and within Conservation Areas, Policy GP8 (Design) requires development to achieve a high standard of design in order to respect the sensitive nature of the site and surroundings.

Design, impact on the protected building and its setting, and the setting of Le Marais Farm:

The orientation of the property is unusual as the original rear elevation of the farmhouse faces the road, and the original façade faces south; this results in a situation whereby extensions are being added to the original façade of the house, and therefore is an important factor in understanding the building and the effect that development could have on the protected building.

Design:

The extension itself is lightweight and appears to be removable (reversible) which is a mitigating factor in reducing harm to this protected building. The roof adopts a low profile, which in turn reduces the bulk and visual mass of the structure and materials and design appear high quality. The design of the extension is acceptable under Policy GP8 and GP13.

Physical impact on the protected building:

In terms of the physical effect of this structure on the protected building, the development would not have a physical effect on the special interest of the protected building given that it is physically connected to an extension, built after 2001.

Setting of the protected building and the setting of Le Marais Farm:

The effect on the buildings setting, and setting of the neighbouring property Le Marais Farm, is complex due to the unusual orientation of the property. At Le Marais Farm Cottage a pitched roof extension has obscured the historic façade whereas the original façade is easily 'read' both architecturally and historically at Le Marais Farm

The acceptability of this conservatory is hinged upon the structure's lightweight nature, its reversibility, its quality of materials, design and low roof along with the soft landscaping and boundary treatments surrounding the proposal which is sufficient to support the application.

Without prejudice to any future applications, it is important to note that if the proposed structure was the same shape but adopted less quality materials it is likely that this could tip the balance and have a detrimental effect on the setting of both Protected Buildings.

In light of the above the proposal is acceptable, on balance, as it achieves a high standard of design for the purposes of Policies GP8 and GP5, and would not have an unacceptable impact on the setting of the protected building, or the setting of Le Marais Farm.

Conservation Area:

The proposed development will not affect the character or appearance of the Conservation Area due to the location of the works (Policy GP4).

Neighbour amenity:

Despite the extent of glazing and its projection off the south elevation of the property, the proposal is not considered to cause undue harm to the amenities of neighbouring residents to the east or west that would be sufficient to justify refusal, particularly as the boundary treatments on either side of the structure consist of a mix of timber fencing and mature planting which prevents overlooking and directs views from the structure southwards.

Whilst the boundary treatments are subject to change, the degree of harm without boundary planting is also unlikely to cause unacceptable harm when taking into account the relationship to neighbouring properties and their most sensitive and usable external amenity areas.

Conclusions

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.

Recommendation:

Grant with Conditions



Date: 03/03/26