

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 and extend building to create a dwelling, demolish glasshouse, change of use of agricultural land (1,000sqm) to domestic garden and associated works (Revised scheme).

LOCATION: Eden Grove, La Grande Rue, St. Saviour.

APPLICANT: Mr J De Garis

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: 02/01/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 28/11/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: S1 - Site Location Plan and S2 - Site Block Plan (proposed), Proposed Extension Elevations, Floor dimension E-W, Proposed floorplan, document entitled Policy GP16A proposed conversion of redundant building, Edengrove proposed plant and landscape scheme

Application Ref: FULL/2025/1839

Property Ref: E008750000

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. Please note this is one condition with multiple sub-sections:

(i) No development shall commence on site (including demolition and site works) until there has been submitted to and approved in writing by the Authority:

(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 dwelling hereby approved shall not be occupied until such time as the existing glasshouse as shown to be demolished on the approved plans has been demolished and all ancillary materials, works and structures have been removed from the site.

Reason - To make sure the development takes the form hereby permitted in accordance with Policy OC7 of the Island Development Plan.

6. 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 approved plans and details.

Reason - In the interests of road safety and effective traffic management.

7. Prior to the commencement of any work in connection therewith details of the design and appearance of the covered bike area as shown on the approved plans shall be submitted to and agreed in writing by the Authority. The dwelling hereby approved shall not be first occupied until the agreed scheme of cycle parking has been fully implemented.

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

8. Notwithstanding the details submitted:

- a) No development, excluding demolition and site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Authority:
 - i) details of the approved gravel and patio areas;
 - ii) full details of tree and hedge planting having regard to the adopted Strategy for Nature Supplementary Planning Guidance;
 - iii) planting schedules, noting the species, sizes, numbers and densities of plants;
 - iv) all existing trees, hedges and other landscape features, indicating clearly those to

be removed; and

v) a landscape management plan for the areas of existing and proposed grassland

b) The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms above, 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 a landscaping scheme and management plan for the development is agreed and implemented, to make sure that it respects the existing landscape character of the surrounding area and to help assimilate the development into its surroundings in accordance with Policies GP1: Landscape Character and Open Land and GP8: Design of the Island Development Plan and in the interests of biodiversity enhancements in accordance with the Strategy for Nature Supplementary Planning Guidance.

9. Notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2023 (or any other Ordinance replacing or re-enacting that Ordinance), no gate, fence, wall or other means of enclosure more than 0.9m high (other than those expressly approved as part of this permission) shall be erected, constructed or placed along the east boundary of the domestic garden hereby approved.

Reason - In view of the location of the site in relation to wider areas of open and undeveloped land, the erection of such structures as 'exempt development' may have an adverse impact on the character and appearance of the locality. This condition is imposed to make sure that any proposals can be properly considered.

10. The development hereby permitted shall be constructed in accordance with the details set out on page 4 of the document entitled Policy GP16A Proposed Conversion of Redundant Building by John de Garis, owner, November 2025 and in accordance with the details shown on the approved plans regarding hardstanding.

Reason - In the interests of sustainable development.

11. Prior to the commencement of any work on site, including demolition, a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Development & Planning Authority. Agreed details shall be carried out as approved unless otherwise agreed in writing by the Authority. At a minimum the following should be included:

I. A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how complaints will be dealt with

reviewed and recorded (including details of any considerate constructor or similar scheme)

II. Details of the construction compound

III. Details of temporary ground protection to be laid before work commences to protect the existing grassland from damage by plant during the works

The development shall be carried out in accordance with the approved CEMP.

Reason - In the interests of residential amenity and in the interests of protecting existing ecological features on the site, protecting natural habitats which support associated wildlife.

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

ADVICE AND OTHER REMARKS:-

With reference to condition 4 a desktop study shall be the very minimum standard accepted. Pending the results of the desktop study, the applicant may have to satisfy the requirements of criteria (b) and (c) of that condition, however, this will all be confirmed in writing.

The phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy.

The site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

It is strongly recommended that in submitting details in accordance with the above condition that the applicant has reference to Land Contamination risk management available at <https://www.gov.uk/guidance/land-contamination-risk-management>.

In relation to condition 7, attention is drawn to the published advice note relating to bicycle parking: <https://gov.gg/CHttpHandler.ashx?id=177499&p=0>

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building is located in an area where nesting birds and roosting bats present and measures may therefore need to be taken (including consideration of the timing of the works) to ensure that any protected species present are not impacted by the works. It is recommended that a ground level roost assessment and breeding bird survey are both undertaken, by a suitably qualified ecologist ahead of any disturbance or building works on site to ensure the works do not result in a breach of the Animal Welfare Ordinance, 2012.

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/2025/1839
Property Ref: E008750000
Valid date: 28/11/2025
Location: Eden Grove La Grande Rue St. Saviour Guernsey GY7 9PW
Proposal: Convert and extend building to create a dwelling, demolish glasshouse, change of use of agricultural land (1,000sqm) to domestic garden and associated works (Revised scheme).
Applicant: Mr J De Garis

RECOMMENDATION - Grant: Planning Permission with Conditions:

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5. The dwelling hereby approved shall not be occupied until such time as the existing glasshouse as shown to be demolished on the approved plans has been demolished and all ancillary materials, works and structures have been removed from the site.

Reason - To make sure the development takes the form hereby permitted in accordance with Policy OC7 of the Island Development Plan.

6. 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 approved plans and details.

Reason - In the interests of road safety and effective traffic management.

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The development shall be carried out in accordance with the approved CEMP.

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INFORMATIVES

With reference to condition 4 a desktop study shall be the very minimum standard accepted. Pending the results of the desktop study, the applicant may have to satisfy the requirements of criteria (b) and (c) of that condition, however, this will all be confirmed in writing.

The phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy.

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OFFICER'S REPORT

Site Description:

Eden Grove, La Grande Rue is a detached dwelling set back from the road with a residential clos to the west, residential development to the northeast and on the opposite side of the road to the north. To the immediate south of the site is a vinery site with a single glasshouse and associated building along the south site boundary. Beyond that to the south is further residential development in Clos du Fillage.

The building that is the subject of this application has an exposed blockwork exterior with a door and gable window to the north elevation. The roof is covered in sheet asbestos.

The site is located Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan. It is also noted as a redundant glasshouse site.

The site is located within Escarpment Landscape Character area with valleys close by to the west/southwest and northeast. The escarpment forms the northern and western edges of the Upland Plateau (to the south). It acts as a physical division and a visual backdrop seen from lower ground throughout the north and west of the Island. At its crest long views extend over the lower parishes and coast to the sea. There are two sub-zones: the West Coast Scarp and the Inland Scarp. Its position adjacent to the Upland Plateau indicates that this forms part of the Inland Scarp which is noted as having been affected by development although is still a strong landscape feature. The combined effect of garden and hedgerow trees gives the impression of woodland in this area from a distance.

Relevant History:

Historic aerial photographs indicate that glasshouses were situated to the west and south of Eden Grove, the house itself was constructed between 1938 and 1963. The glasshouses to the south were in situ in 1979 but the northern span had been largely removed by 1990 along with two of the five spans to the west. The glass was accessed via an access point, west of Eden Grove, directly from La Grande Rue. There was no apparent access from the domestic garden area of Eden Grove. The residential clos to the west was constructed between 1990 and 1996 which saw the remainder of the western span of glass cleared but an accessway to the last remaining span of glass (part of the subject application) was provide via the residential clos. Aerial photographs indicate that the remaining glasshouse has not been used for growing since c. 1990-1996.

The submission refers to planned residential development on the site following the completion of the clos and how the clos access arrangements would not be suitable for commercial agricultural use of the site. A review of the property file does indicate that the land that is the subject of this application had been included as part of land presented for residential development however, that proposal dates from 1989 and the Development Plan that was in place at the time has long since been superseded.

FULL/2025/0670 - Convert and extend building to create a dwelling, change of use of agricultural land (1,000sqm) to domestic garden and associated works – refused
The overarching principle of Policy OC7 is the removal of all glasshouses and ancillary structures to allow the land to return to agricultural use, and the application does not address this, seeking to retain all glass and structures. This means that the application is contrary to the general aims of Policy OC7 and iv) in particular by seeking to retain all structures.

Pre-application advice was sought in this case.

Existing Use(s):

01 dwellinghouse
28 agriculture

Brief Description of Development:

The application relates to the conversion of the existing building on the agricultural land to a unit of residential accommodation. The scheme comprises the existing outbuilding, to be extended in order to create a one-bedroom dwelling, with open plan living/dining room on the ground floor, a kitchen and shower room in the proposed extension and a bedroom within the roofspace. The proposal also proposes to remove the existing 200sqm glasshouse. Vehicular access to the property is proposed via Rue de la Ree to the west with a gravel drive along the north boundary leading to an area of parking. A hedge is proposed to the north of the retained glasshouse and along the north site boundary.

In relation to OC7 the submission sets out the site is accessed through a residential road which is unsuitable for agricultural traffic but also that the site is surrounded by dense residential development on three sides and with a waterway to the east boundary incorporating significant level changes.

The 1000sqm of land proposed to form the curtilage for the one-bedroom dwelling is put forward on the basis that the land cannot be practicably used for commercial agriculture without adverse environmental impacts. In relation to GP16(A) the submission outlines that although the site is within the APA there has been no commercial agricultural or horticultural activity on the site for at least 20 years and with no potential for future contribution as commercial agricultural land due to the surrounding development and disconnect with land to the east. The building is not required for and is not being used for its original agricultural purpose.

In relation to works proposed to the building this relates to insulation of the roof and ground floor internally with new external cladding for the blockwork walls. The first floor is proposed to be replaced, and lowered, in order to achieve the necessary head height at first floor level. New windows/doors are proposed along with the proposed single-storey flat roof extension which has been reduced in size since the previous scheme was considered. The extension is indicated as using least impactful building techniques with internal materials reused where possible in connection with works to lower the first floor and with any materials leaving the site being assessed for recycling.

In relation to biodiversity the submission notes that there is plenty of opportunity to enhance the currently underutilised space with domestic amenity planting (400sqm available) highlighting existing and proposed grassland and trees on the site along with new hedge planting. The application was deferred to seek further planting in connection with the change of use of land and loss of existing grassland to provide the proposed driveway. Although the applicant has not produced revised plans written confirmation has been provided offering a commitment to additional landscaping proposals which are requested to be secured by condition (including management in connection with areas of grassland).

The submission has been accompanied by a Structural Report dated 23/07/2024 which notes that the packing shed appears to have been converted from some previous agricultural use e.g. small animal shelter. The Structural Report sets out that this structure has been in situ since the 1898 map, indicating that it could have been used as a shelter for water pumps/or a water tank to irrigate the glasshouses. The submission notes that it has been covered and enlarged in connection with the replacement of the glasshouses between 1945 and 1963 and that the lower 1.2m section of walling on all four sides is granite (localised brickwork repairs) with a newer block wall and cut timber roof likely dating from the 1950s. The report confirms that the foundations have been inspected and that there is no evidence of structural movement meaning that they are sound. The report notes that the roof structure was not accessible due to the internal cladding but that the roof “appeared

to be sound". The floor is also considered to be in a sound condition without evidence of cracking but that it has not been possible, without further investigation, to identify whether the floor has been reinforced but it is deemed likely that it is unreinforced. To conclude, the report notes that the roof construction would represent an increase in overall weight (40kg/m² currently to c. 50kg/m² as proposed to allow for the additional insulation and new weather-tight finish). Localised timber repairs are highlighted as being likely to be necessary but overall, the existing timber and masonry structure is concluded as being capable of carrying the revised loading without extensive alteration or rebuilding. Reference is made to internal tanking and insulation of the existing masonry.

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

OC1	Housing Outside of the Centres
OC7	Redundant Glasshouse Sites
GP1	Landscape character and open land
GP8	Design
GP9	Sustainable 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

Redundant Glasshouses SPG
Strategy for Nature SPG
Cycle Parking Advice Note

Representations:

Two letters of representation (one from seven households and including a copy of the letter of representation submitted in connection with the first application) have been submitted commenting on the application and raising the following points:

- It has not been demonstrated that the land could not contribute positively to the commercial agricultural use of the area
- The building location is far from making efficient and effective use of land – it is disproportionate in relation to the overall site area
- The reasonable enjoyment of neighbouring properties – matters relating to sewage and electricity connections and in relation to health and safety if main drain capacity is exceeded
- The proposed compost area is very close to the boundary of one of the properties in the Clos and if issues arise regarding the upkeep of the compost area e.g. vermin infestations then this would impinge on the enjoyment of the neighbouring property along with associated health and safety issues
- To remove the greenhouse would represent the loss of another green space in favour of a large family house, not affordable housing

- The development will impact on the privacy and safety of residents of the Clos and the peaceful enjoyment of their homes

Other matters

- Possible future development if a change of use to residential is granted is of concern – while the building may not be inappropriate the construction of more properties would not be
- If the service connections referred to in the submission are via Rue de la Ree private road these were installed and have been untouched for c. 30 years – planning applications would have been expected to include findings of an assessment of how these connections would be affected and how the increased load on services will be addressed, sewage/surface water run off as there was no mains drain connection, this was arranged and paid for by owners of the Clos properties in c. 2011, and electricity, has Guernsey Electricity ever planned for the possible addition of a further household (s) and electricity loads have increased significantly over the last 30 years when the Clos was established
- Construction site traffic is of concern and it is not clear whether a right of way extends to construction traffic in relation to the proposed development and the application is silent on the matter of construction traffic access – concerns also exist regarding damage being caused to the Clos road and pavements in connection with this development and the cost associated with necessary repairs along with damage to vehicles parked in the Clos and possible accidents with pedestrians and cyclists
- Likely effect of the proposed use and likely effect of any other use to which it may be put without obtaining further permissions – reference to car parking infers further residential accommodation is being considered (two defined spaces with ample room for more if required)

La Societe Guernesiaise commented on the previous application as follows:

La Societe remains concerned over the reclassification of agricultural land to domestic curtilage. However, as the Island Development Plan currently permits the consideration of such applications, we seek to optimize ecological gains in such cases wherever possible.

We wish to advise that La Societe would be able to assist with matters relating to biodiversity measures, for example to arrange surveys of the existing site and to provide suitable recommendations on how the land could be enhanced in terms of its ecological value by appropriate native planting and ongoing maintenance.

Further, 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 request that, if this application is considered further, an informative note be added to the Information Sheet regarding the above.

Consultations:

Agriculture, Countryside and Land Management Services - this response is regarding the requirement to enhance biodiversity for change of use applications.

The application does not include an assessment of the existing biodiversity value of the site and so it is not possible to understand what biodiversity loss may result from the proposed development. However, some available datasets can help indicate whether there is likely to be a loss in biodiversity:

- The habitats on the site have not been surveyed in any of the island wide habitat surveys, however available aerial photographs indicate that the grassland has not been cultivated in recent years and so is likely to be 'permanent grassland'. This would be considered an important ecological feature.
- Images of the building also appear to show mature vegetation in close proximity, the clearance of which would also constitute a reduction in biodiversity value.

We note the intention to retain both the mature vegetation on the eastern boundary of the site and a proportion of the permanent grassland within the site.

Due to the creation of a new driveway, the works will likely result in a loss of permanent grassland. The applicant may wish to consider offsetting this loss through the creation of additional permanent grassland elsewhere on site. For example, this could be achieved through the sensitive management of a section of the new grassland proposed to be created in the footprint of the glasshouse.

There is also the potential for the permanent grassland to be damaged during the works and we would recommend that temporary ground protection is laid before works commence. This should ensure the grassland does not become damaged by plant during the works. Should this application be considered for approval, this could be secured through a suitably worded condition and delivered within a CEMP or method statement advised by a suitably qualified ecologist.

It should also be noted that buildings of this type and construction have the potential to support nesting birds and roosting bats. It is recommended that a ground level roost assessment and breeding bird survey are undertaken by a suitably qualified ecologist ahead of any disturbance or building works on site to ensure that the works do not result in a breach of the Animal Welfare Ordinance (2012).

Office of Environmental Health and Pollution Regulation - There is an issue of concern regarding land contamination. Guernsey Historic Maps, Historic Orthophotos, and Cadastre Registry of Land have been interrogated which show there were once heated greenhouses at the site. There is consequently the potential for the land to be contaminated. A multiple sub-section planning condition is therefore recommended with associated informative notes.

Summary of Issues:

The key issues in this case relate to whether the site would, if cleared, contribute to wider open land, the principle of the conversion of the existing building to a unit of residential accommodation, the condition of the building and extension proposed along with the matter of 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.

Policy context

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 Outside of the Centres. The Plan does make some, limited provision for housing Outside of the Centres, through the subdivision of existing dwellings and the conversion and reuse of redundant buildings. The Spatial Policy also helps to protect the countryside from unacceptable forms of development in order to avoid unnecessary urbanisation of the Island's undeveloped areas (IDP paragraphs 15.1.4 and 15.1.11). The balance in terms of housing provision outside of the centres is to protect the physical environment and to ensure that the spatial strategy of the Plan is not undermined.

The IDP makes provision for necessary housing land within the Centres and does not allow for new build housing Outside of the Centres (with the exception of those developments permitted through Policy OC1: Housing Outside of the Centres). This approach follows the strategic requirement to focus housing within the Centres, and is also in recognition of the negative impact housing development can have on the landscape character Outside of the Centres. It is important to note that the individual policies or paragraphs of the IDP Written Statement should not be read in isolation or out of context and the IDP should be read as a whole including all relevant policies, preceding text, Annexes and the Proposals Map as well as reference to any relevant Supplementary Planning Guidance published by the Authority (IDP paragraph 1.4.14). All proposals are expected to be consistent with the Plan Objectives relevant to the specific proposals.

Redundant glasshouse site

The Planning Law considers horticultural premises, including redundant glasshouse sites, and any ancillary structures to be agricultural land so, on clearance of the structures, the land is expected to revert to other non-horticultural types of agricultural use. Therefore there is a presumption that when a horticultural use ceases the site will be cleared of glasshouses and ancillary structures and returned to agricultural use.

Within the Island Development Plan a 'Redundant glasshouse site' means: 'a glasshouse or glasshouses together with ancillary structures and land where the glass and ancillary structures are no longer required or capable of being used for their authorised purpose.' There must be a clear indication that glasshouses are no longer required or capable of being used for their authorised purpose for the site to be considered a redundant glasshouse site and the purpose of the policy is to secure improvements in the physical appearance and quality of the landscape.

The condition of the glass is such that the greenhouse would technically be capable of being used for its authorised purpose although the development removed the original access to the last remaining glasshouse at Eden Grove but access is retained via the development to the present day. It is clear however, in practice (from aerial photographs) that the active use of the glasshouse ceased at the time of the construction of the development. In this case a glasshouse superstructure is present on the site and is not being used for commercial horticulture. Therefore, this site qualifies as a redundant glasshouse site and Policy OC7 provides a gateway to consider development on this site.

The site does sit within the Agriculture Priority Area but separated from the open and undeveloped land to the east by a double change in levels and to create a practical link to this adjoining open land would likely have adverse environmental impacts. Criterion a. is therefore met (OC7 a.).

This site is surrounded on three sides by residential development and there is a clear break between built and open development which forms the east site boundary. In

this case therefore the site, once cleared of glasshouses and ancillary structures (e.g. packing shed), would not contribute to the wider open land and the conversion of the building and change of use of land would not have an unacceptable impact on the open landscape/landscape character of the area (OC7 b., GP16(A) f., GP15 a. and GP1).

There is provision for the conversion of redundant buildings through criterion f. Criteria c., e. g. and h. are not relevant in this case and as outlined below criteria d. and f. are satisfied. Consideration must also be given to the policy criteria i. – vi. which are also addressed below in relation to residential amenity, highway safety, efficient and effective use of land/visual amenity, soft landscaping and having consideration to all other relevant policies.

The scheme proposes the removal of the glasshouse from the site which can be secured by condition and the scheme accords with the aims of Policy OC7.

The use of the site for commercial horticulture has long since ceased and building is clearly redundant for its purpose as a packing shed in connection with the commercial use of this site.

Policy OC1 of the Island Development Plan sets out in paragraph 16.1.16 that the relevant requirements of the Building (Guernsey) Regulations, 2012 and the practical guidance on those requirements will need to be taken into account in determining whether a proposed unit offers an adequate standard of accommodation. The packing shed is of sufficient size to create a residential unit without extension so there is no conflict with Policy OC1 in this regard. Although the public consultation process has referred to both a large family dwelling and the lack of affordable housing provision on the site the scheme relates to a one bedroom dwelling and there is currently no mechanism within the IDP to secure affordable housing on the site (in any event the proposal would not meet the thresholds that have previously applied which relates to housing schemes for multiple units of residential accommodation).

Policy GP16(A) criterion g. permits only a modest extension to an existing building. The floorspace of the proposed extension has been reduced since the earlier scheme and now represents a modest extension for the purposes of criterion g. Although the extension would house primary living accommodation, the building could accommodate a residential use without extension if the accommodation were laid out differently because the building exceeds 35sqm which is the minimum size set out in Part G of the GTS.

The T&G Structural Engineer's Report demonstrates that the floor and walls are capable of accommodating the proposed development without substantial works. Although the report refers to internal lining the drawings make provision for both internal and external lining. A new window is proposed to the west elevation along with the proposed extension to the north.

The drawings do not make reference to the roof construction and adjustments that may be required in connection with the change of use which are referred to in the Structural Report. So, it is not clear whether the roof structure will require strengthening or not as the timbers have not been inspected by a timber and damp specialist. Nonetheless, the wholesale replacement of the roof structure and covering is not proposed and there is scope in this case for the replacement roof covering only.

Criteria a. (redundancy), b. (residential use), c. (sound and substantial construction), f. (character and openness) and h. (residential amenity) of GP16(A) are met in this case and criteria d. and e. would not be relevant.

Policy GP8 includes consideration of efficient and effective use of land, the size of curtilage vs the size of dwelling proposed is considered elsewhere in this report however, to bring a redundant building back into use, with accommodation on two floors, does represent the efficient and effective use of this building in line with the aims of the policy.

Change of use of agricultural land to domestic garden and biodiversity enhancement

The change of use of land to form domestic curtilage, addressed by OC7 d. and GP15 will impact on the character of the area but this does not mean that the proposed change of use of land is unacceptable and it is reasonable to ensure that future occupiers of the development have access to external open space when considering the gateway policies of OC7 and GP16(A).

To divide the land to offer a smaller, more proportionate curtilage for this one-bedroom dwelling would present challenges in terms of use for agricultural purposes and access to the residential unit in the furthest, southeast corner from the road access. Taking this into account therefore, on balance, the scheme complies with Policy GP16(A) and GP15. It is reasonable to remove exemption rights for the eastern site boundary which abuts open and undeveloped agricultural land to ensure that this is managed sensitively and so that a full assessment of any high boundary treatment can be fully assessed through a planning application due to possible urbanising effects such boundary features could have on the wider open landscape.

Having regard to the comments from ACLMS the planting proposed would not satisfactorily demonstrate that there would be biodiversity enhancements that would satisfy the requirements of the Strategy for Nature SPG. Having regard to the commitment offered by the applicant however, the modest additional uplift in planting/landscaping management details that would be appropriate can be secured by planning condition and as a result the scheme accords with Policy OC7 v. (soft landscaping) and the Strategy for Nature SPG.

The concerns raised regarding the management of a compost heap are noted and this would be located adjacent to the c. 1.8m high boundary wall with Les Loriers, 6 Rue De La Ree to the west. Given that a detailed landscaping scheme will be required

by condition the position of the compost heap can be reconsidered however it must be noted that, firstly, on agricultural land a compost heap could be situated on any part of the site and would not be controlled by planning and secondly, that subsequent compost heap(s) should permission be granted for this development would also not require permission. The matter of public health and nuisance as a result of vermin would be managed under separate, Environmental Health, legislation.

Amenity (visual and residential for occupiers and neighbours)

The proposed development, alterations and extension represent a standard of design that is in keeping with the existing building, represents efficient use of land and an existing building and will not harm the built environment given the variety of residential properties in the local area. The works proposed will not result in harm to the character of the surrounding area nor result in harm to residential amenity in terms of overshadowing or overlooking and nor will the change of use of land itself have an adverse impact on residential amenity.

The accommodation is satisfactory in terms of internal space provision, aspect, outlook, sunlight/daylight, privacy and access to external space. The scheme also offers flexible and accessible accommodation.

Policies OC7 i., iii., and v., GP15 e., GP16(A) h., GP8 (d., f. and g.) and GP9 b. would therefore be met.

The comments raised by Environmental Health are noted and it would be appropriate to impose conditions regarding these matters.

Traffic, parking and cycle parking provision

The concerns raised through the public consultation process regarding construction traffic and safety in the Clos are noted.

The development itself, for a single unit of residential accommodation will not unreasonably intensify the use of the road or junction (having regard to the current unrestricted agricultural/horticultural use of the site) nor add unduly to traffic on the local road network (IP9). The comments raised relating to construction traffic access and nuisance these are not matters that could prevent the grant of planning permission.

The public consultation has raised concerns about additional development on the site based on a comment on the submission. To clarify, the submission confirms that the proposed one-bedroom dwelling will be served by two parking spaces but that the site is sufficient in size to allow for further hardstanding/parking to be provided if needed/deemed necessary. Policy IP7 of the Plan relates to the provision of off-road parking for developments with regard to the adopted Supplementary Planning Guidance: Parking Standards and Traffic Impact Assessment (December 2016). The

guidance relates primarily to new developments but does identify that although the standards will be expected to be met, they are intended as guidance and are not, therefore inflexible. In this Outside of the Centres location each case is considered on its own merits. To provide two off-road parking spaces for a one-bedroom dwelling is considered appropriate and the provision of the driveway and parking prior to the occupation of the dwelling can be secured by condition.

The scheme makes satisfactory provision for vehicle parking (IP7). The scheme has allocated space for secure/covered cycle parking (IP6) and details of the height/appearance of this cycle parking can be controlled by planning condition.

Sustainable Development

The introduction of a gravel driveway along the entire north boundary and an area of parking/turning is considered generous in relation sustainable development and the aims of Policy GP9. This arrangement is driven both by the position of the building and the retention of the glasshouse on site. On balance, the driveway and parking are not so excessive to warrant the refusal of permission. The scheme incorporates replacement windows and internal insulation measures taking into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9 and can be managed by condition.

Consideration should be given to the current exemption rights and whether it would be reasonable to withdraw exemption rights relating to any further hardstanding on the site so as to preserve the balance when considering Policy GP9 and sustainable development. It is acknowledged however, that the exemption rights for hardstanding relate to surfacing within 30m of the dwelling and that any new hardstanding (not extension to approved hardstanding) would need to be permeable and drain to a soakaway or SUDS to represent exempt works. On balance therefore, the removal of these exemption rights is not deemed necessary.

Other matters raised through public consultation

The matter of development potential for further residential properties have been noted however this site would not currently be supported for further residential development having regard to the restrictions associated with Policies OC1 and GP16(A) of the IDP. Any future application would need to be assessed against the Development Plan and relevant policies in place at that time.

Matters relating to a right of access are ultimately a private civil matter that cannot prevent the grant of planning permission.

Conclusions

In view of the above it is recommended permission is granted for the proposed development subject to conditions relating to:

- Clearance of glass

- Contaminated land
- Exemption rights relating to the east site boundary with the open agricultural land beyond
- Cycle parking provision
- GP9/sustainable development proposals
- CEMP – protection of existing grassland and biodiversity
- Landscaping scheme and management proposals and subsequent implementation

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: 31/12/2025

