

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 1.5 storey and link extension to east elevation and erect 1.5 storey outbuilding/garage/art studio to south boundary.

LOCATION: Orta (Le Clos Vinery), Rue Des Marettes, St. Martin.

APPLICANT: Mr & Mrs A C Rogers

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: 26/02/2026

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: The Drawing Room: 404/ G1, G2, G3, G4, G5, G6 & G7

Application Ref: FULL/2025/1869

Property Ref: J010590000

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. For the avoidance of doubt, this decision permits the erection of an extension to be used as an integral part of and incidental to the principal dwelling presently known as Orta. It does not permit the creation of a separately occupied annex or an independent dwelling.

To ensure that the use of the entire site remains as one household in order to constitute as householder development under Policy GP13.

5. For the avoidance of doubt, this decision permits the proposed garage/store/art studio to be used only for purposes incidental to the enjoyment of the dwelling house presently known as Orta, unless in accordance with a use permitted under the Land Planning and Development (Exemptions) Ordinance, 2023 or any other Ordinance replacing or re-enacting that Ordinance.

To ensure that the use of the entire site remains as one household in order to constitute as householder development under Policy GP13.

Expiry Date: This permission will cease to have effect on 25/02/2029 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/2025/1869
Property Ref: J010590000
Valid date: 28/11/2025
Location: Orta (Le Clos Vinery) Rue Des Marettes St. Martin Guernsey
GY4 6JH
Proposal: Erect 1.5 storey and link extension to east elevation and erect
1.5 storey outbuilding/garage/art studio to south boundary.
Applicant: Mr & Mrs A C Rogers

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. For the avoidance of doubt, this decision permits the erection of an extension to be used as an integral part of and incidental to the principal dwelling presently known as Orta. It does not permit the creation of a separately occupied annex or an independent dwelling.

To ensure that the use of the entire site remains as one household in order to constitute as householder development under Policy GP13.

5. For the avoidance of doubt, this decision permits the proposed garage/store/art studio to be used only for purposes incidental to the enjoyment of the dwelling house presently known as Orta, unless in accordance with a use permitted under the Land Planning and Development (Exemptions) Ordinance, 2023 or any other Ordinance replacing or re-enacting that Ordinance.

To ensure that the use of the entire site remains as one household in order to constitute as householder development under Policy GP13.

OFFICER'S REPORT

Site Description:

The application site comprises a former horticultural site measuring approximately 2.08 hectares. The site has been cleared of glass and a former packing shed in the south-west corner has been granted permission to be converted, demolished and rebuilt as a dwelling, the works are currently under construction. The remainder of the site comprises of open agricultural/undeveloped land. The site is accessed via a tarmacked track onto Rue des Marettes. The site is located Outside of the Centres.

Relevant History:

24/09/2025 – FULL/2025/1140 – Permission granted to erect earth bank to create agricultural field boundary and install agricultural gate to north of site.

29/01/2025 – FULL/2024/2032 – Permission granted for variation to previously approved plans to demolish existing building, relocate, and erect dwelling with associated works, erect vehicle and pedestrian gate - Relocate dwelling 2 metres to east, change of use of agricultural land to garden (104sqm).

16/08/2024 – FULL/2024/1145 – Permission granted to demolish existing building, relocate and erect dwelling with associated works, erect vehicle and pedestrian gate.

10/04/2024 – FULL/2024/0176 – Permission granted to convert and extend packing shed to form dwelling and associated works (revised scheme).

Existing Use(s):

Residential use class 1
Agriculture use class 28

Brief Description of Development:

Planning permission is requested to erect a 1½ storey extension to the east of the dwelling and erect a detached 1½ storey garage/store/art studio to the south-west of the site.

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

Policy GP1: Landscape Character and Open Land
Policy GP8: Design
Policy GP9: Sustainable Development
Policy GP13: Householder Development

Representations:

None

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. Design and impact of the development on the character and openness of the area.
2. The impact of the development on the amenity of people living in the area.

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).

Planning permission was granted to convert and extend the packing shed to form a dwelling in April 2024 (FULL/2024/0176). Permission was subsequently granted to demolish the building and erect a dwelling in August 2024 (FULL/2024/1145). Works have commenced on site and has now progressed to the extent that the previously approved dwelling is wind and watertight. As a result, this current application falls to be considered principally under Policy GP13.

The proposal would result in a substantial increase to the scale, mass and ridge height of the dwelling. The site is visible from the highway Rue Des Marettes to the north-west and the extended dwelling would have a greater impact on public views. However, the dwelling would be viewed in context with adjoining neighbouring properties to the west and south-west and the extension would not unduly project into the open and undeveloped landscape to the north and west. The property is not located within a Conservation Area or other sensitive area, as set out in the preceding explanation to Policy GP8, and Policy GP8 provides support for personal choice in design matters in such circumstances and supports developments of a multi-storey design. As a whole the scale, design and appearance of the extended dwelling would not cause sufficient harm to the appearance of the surroundings and the character, amenity and openness of the locality to outweigh the support and flexibility for extensions and alterations to existing residential buildings as set out in Policy GP13. As a result, the proposal does not conflict with Policies GP8 and GP13.

By virtue of its siting in the south-west corner, the garage/store/art studio would be well-related with existing buildings on neighbouring properties and would have a limited visual impact on the wider area.

A first floor window is proposed in the south gable of the extended dwelling and a rooflight is indicated in the south roof slope of the outbuilding. Both the window and rooflight are shown to be positioned at high level with a cill height of 1.7m which would be sufficient to protect the privacy of the neighbouring property. By virtue of a combination of the scale, siting and orientation of the extension and the garage/store/art studio, the proposal is unlikely to have a significant overshadowing or overbearing effect on neighbouring properties.

The agent sets out that the garage/store/art studio would be for domestic use. Provided that the entire site remains as a single household as indicated, the proposal accords with Policy GP13.

Although works have progressed to the extent that the previously approved dwelling is wind and watertight and this application can be considered under Policy GP13, the previously approved dwelling is not complete and conditions 5, 6, 7 and 8 of application FULL/2024/1145, regarding the construction of earth banks, the implementation of the approved landscape scheme, the removal of the existing packing shed and the implementation of sustainable design features, must still be complied with. The agent also refers to all previously imposed conditions will be upheld.

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 recommended that the application is approved.

Date: 23/02/2026