

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 dwelling, erect replacement dwelling, alter existing garden area and change of use of agricultural land to domestic garden (312sqm) and associated works.

LOCATION: Croix Du Lorier, Rue Du Lorier, St. Saviour.

APPLICANT: Mr M Holland

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: 20/03/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 13/01/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Architecture Limited - 24-1571-P2 PD/01, 02, & 03

Application Ref: FULL/2026/0067

Property Ref: E009900000

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. (a) Prior to the commencement of any development in connection therewith, a cross section detailing how the earthbank to demarcate the residential curtilage from the remaining agricultural land (as detailed on drawing ref: PD/02) will be constructed together with full details of the hedge (including the species, size and density of plants at the time of planting) shall have been submitted to and approved in writing by the Authority.

(b) The earthbank shall have been constructed in accordance with the details approved under (a) of this condition prior to the first occupation of the dwellinghouse hereby approved and shall remain in place in perpetuity.

(c) The hedge shall be planted on top of the earthbank in accordance with the details approved under (a) of this condition in the first planting season following the construction of the earthbank. 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 help assimilate the development into its surroundings, and to provide biodiversity enhancements in line with the Strategy for Nature SPG.

6.(a) Prior to the commencement of any works in connection therewith full details of the landscaping scheme (as shown on drawing ref: PD/03, and excluding the details required under Condition 5 above) to include the size, number and density of all plants/trees/hedges shall be submitted to and agreed in writing by the Authority.

(b) The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of criterion (a) above, by the end of the first planting season following the demolition of the glasshouse. 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 - In the interests of biodiversity interest having regard to the Strategy for Nature SPG.

7. The dwelling hereby approved shall not be first occupied until such a time as the existing buildings on site have 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.

8. The dwelling hereby approved shall not be first occupied until the Air Source Heat Pump and electric vehicle charging point have been installed and made operational.

Reason - In the interests of sustainable development.

9. 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.

Expiry Date: This permission will cease to have effect on 19/03/2029 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>.

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/2026/0067
Property Ref: E009900000
Valid date: 13/01/2026
Location: Croix Du Lorier Rue Du Lorier St. Saviour Guernsey GY7 9JT
Proposal: Demolish dwelling, erect replacement dwelling, alter existing garden area and change of use of agricultural land to domestic garden (312sqm) and associated works.

Applicant: Mr M Holland

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.

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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.

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(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. (a) Prior to the commencement of any development in connection therewith, a cross section detailing how the earthbank to demarcate the residential curtilage from the remaining agricultural land (as detailed on drawing ref: PD/02) will be constructed together with full details of the hedge (including the species, size and density of plants at the time of planting) shall have been submitted to and approved in writing by the Authority.

(b) The earthbank shall have been constructed in accordance with the details approved under (a) of this condition prior to the first occupation of the dwellinghouse hereby approved and shall remain in place in perpetuity.

(c) The hedge shall be planted on top of the earthbank in accordance with the details approved under (a) of this condition in the first planting season following the construction of the earthbank. 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 help assimilate the development into its surroundings, and to provide biodiversity enhancements in line with the Strategy for Nature SPG.

6. (a) Prior to the commencement of any works in connection therewith full details of the landscaping scheme (as shown on drawing ref: PD/03, and excluding the details required under Condition 5 above) to include the size, number and density of all plants/trees/hedges shall be submitted to and agreed in writing by the Authority.

(b) The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of criterion (a) above, by the end of the first planting season following the demolition of the glasshouse. 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 - In the interests of biodiversity interest having regard to the Strategy for Nature SPG.

7. The dwelling hereby approved shall not be first occupied until such a time as the existing buildings on site have 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.

8. The dwelling hereby approved shall not be first occupied until the Air Source Heat Pump and electric vehicle charging point have been installed and made operational.

Reason - In the interests of sustainable development.

9. 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.

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.

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>.

OFFICER'S REPORT

Site Description:

The application site comprises a dwelling currently under construction (replacing the previous dwelling at the site, subject to application ref: FULL/2024/2012) and an outbuilding that both front onto Route des Clos Landais to the east with Rue du Lorier to the south. The domestic curtilage is limited to the eastern part of the site, taking a staggered line across the site. Surrounding the site the area comprises residential properties to the north, west, northeast and south with agricultural fields to the east. The site is a former horticultural site that was cleared of all glass between 1996 and 2001.

The site is situated Outside of the Centres and within the Agriculture Priority Area as designated in the Island Development Plan.

Relevant History:

FULL/2024/2012	Demolish existing dwelling, erect replacement dwelling, convert, extend and alter building to north of site to form a dwelling with associated works, infill existing vehicle access and create vehicle access to north-east boundary. Remove section of hedge to create agricultural access to south boundary.	Granted 16/04/2025
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Existing Use(s):

Residential use class 1: dwelling house

Agriculture use class 28

Brief Description of Development:

Planning permission was granted amongst other things, to extend, convert and alter the outbuilding (the subject of this planning application) into a dwelling under FULL/2024/2012, including a limited curtilage and sharing access in the east boundary with the replacement dwelling to the south. This application now intends to demolish the outbuilding and erect a replacement dwelling with associated works, and to extend the curtilage to square off with that associated with the dwelling at the site, including a slight reduction in the curtilage associated with that dwelling, resulting in a cumulative change of use from agricultural land to domestic garden of 312m².

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

Island Development Plan Policies:

- OC1: Housing Outside of the Centres;
- OC5(A): Agriculture Outside of the Centres – within the Agriculture Priority Areas
- GP1: Landscape Character and Open Land;
- GP8: Design;
- GP9: Sustainable development;
- GP15: Creation and extension of curtilage
- GP16(a): Conversion of Redundant Buildings;
- IP9: Highway Safety, Accessibility and Capacity;

Representations:

None

Consultations:

The Office of Environmental Health and Pollution Regulation (OEHPR)

By letter dated 17th February 2026 stated the following.

"I have reviewed the proposed plans to demolish a former packing shed, erect a replacement building to be used as a dwelling, alter the existing garden area and change the use of agricultural land to a domestic garden (312sqm) with associated works. I confirm that I have concerns about contaminated land at the site.

The application confirms that "the subject building was a former packing shed originally constructed to support a small-scale horticultural operation." I have interrogated the States' Digimap system, including Guernsey Historic Maps, Historic Orthophotos and Cadastre Registry of Land, to assess the historic use of the site. It is clear from the records assessed that heated glasshouses have historically been located on the land parcel that comprises the site. Therefore, there is the potential for the land to be contaminated from metals, hydrocarbons and pesticides. Other sources of contamination could also be present.

In addition, the proposed conversion of the former packing shed raises discrete contaminated land considerations associated with the building itself. Packing sheds and associated agricultural buildings may have been subject to spills or leaks of fuels, oils, lubricants, agrochemicals and cleaning agents. There is therefore potential for contamination to be present within the underlying made ground, and any immediately adjacent hardstanding areas, which could pose a risk to future occupants if not appropriately assessed and managed as part of the redevelopment.

The above concerns reinforce the need for a robust contaminated land risk assessment to identify potential sources, pathways and receptors, and to ensure that any risks are adequately mitigated prior to development proceeding. I therefore recommend that the following condition is attached to any granted permission:

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:

*as built drawings of the implemented scheme;
photographs of the remediation works in progress;
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.

Informatives/Advice Notes

With reference to condition XX 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>.

I would be grateful if these issues are considered during the determination of this application."

Summary of Issues:

1. whether the principle of the proposal is acceptable;
2. the impact of the development on the character and appearance of the surrounding area;
3. the impact of the development on the amenity of people living in the area;
4. whether the proposed extension to curtilage is acceptable
5. parking and access issues.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Planning permission has previously been granted for the conversion of the building the subject of this application (a redundant building). Policies OC1, OC5(B), GP1 and GP16(A) have thus been satisfied in respect of that scheme and the scheme now submitted must be considered with regard to Policy GP16(B) and other relevant policies of the Island Development Plan.

Policy GP16(B) sets out that the demolition and redevelopment of a building that accords with the requirements of the conversion of redundant buildings policy (Policy GP16(A)) may be acceptable without the need to implement the permission for conversion by physically carrying out the development. There are specific criteria that must be addressed which are assessed in detail below:

a) the conversion scheme has first been granted planning permission

Planning permission was granted on 16/04/2025 amongst other things, to convert, extend and alter the outbuilding to create a dwelling subject to planning application reference: FULL/2024/2012. This permission also included the demolition of and the replacement of the main dwellinghouse which has commenced on site. and the permission remains extant. This criterion of the policy is therefore satisfied.

b) the redeveloped scheme is of broadly the same floor space and volume as the approved conversion scheme and, in the case of development for residential purposes, the number of units approved in the conversion scheme is not exceeded

The 2025 permission to convert the building into a dwelling related to the formation of a single unit of residential accommodation comprising one bedroom, a bathroom/shower room, and combined kitchen and living area, a porch and storage cupboard. The previous scheme allowed for a total footprint of 61m², with a total gross internal floor area of 51.5m², and a total volume of 214.9m³.

The footprint of the redevelopment scheme (the subject of this report) proposes a total area of 72.42m² representing an increase of 18% and the total gross internal floor area will equate to 61.6m² representing a 19% increase. The volume of the proposed building equates to 223.8m³ representing a 4% increase in volume when compared to the original approved conversion scheme. When considering whether the redevelopment scheme is “*broadly the same floorspace and volume*” as a general rule an increase of up to 20% is usually considered to be acceptable.

There is no requirement in the policy text for the new scheme to be of the same height, form, design or positioning on site as the existing building, provided that any such changes are acceptable under the remaining policy criteria which is assessed below. The proposal however will be of similar form and scale to the conversion scheme.

Considering the above, the proposal does not represent a significant increase in either floorspace or volume and overall the scheme complies with this criterion of the policy.

- c) *where the existing building makes a particular positive contribution to the character of an area the replacement building would make an equal or enhanced contribution to the character of that area*

The existing building is of no architectural merit and does not make a particular positive contribution to the character of the area.

Irrespective of the contribution that the existing building makes to the character of the area, Policy GP8 requires that a proposal achieves a good standard of design, which respects the character of the local built environment or open landscape concerned.

In this case, the proposed building would follow a similar footprint to the previous approved conversion scheme but would be re-positioned further within the site to the north, to run on an east to west axis rather than a north to south axis as it was previously. The position, form and materials proposed are however consistent with the surrounding built form, and the building would be centrally positioned within the proposed domestic garden area for the scheme and given its single storey form of limited height, would have limited additional impact on the character of the area.

- d) *it can be demonstrated that the new building can be constructed in such a way as to significantly enhance its sustainable design*

As detailed above, the application has been supported by information relating to sustainable development (statement received by email dated 19/03/2026) and in relation to Policy GP9, setting out that the proposed materials are largely recyclable should the building ever be demolished, the insulation, light, ventilation, glazing, drainage and access will meet/exceed the Building (Guernsey) Regulations, 2012. Furthermore, the building has been relocated in a more sustainable position within the site to create a dual aspect scheme with the entrance window and a window into the kitchen/lounge dining area facing south and large patio doors to the lounge and diner facing east to maximise solar gain.

Solar panels have been explored as a possible sustainable enhancement however, given the flat roof nature of the scheme these would be required to be situated on a framing system which would affect and harm the visual character and design of the building. As an alternative, the applicant intends to install an air source heat pump in an appropriate location and of a size that would constitute Exempt development and would facilitate the future addition of solar panels. The scheme also proposes an electric vehicle charging point.

Considering the above the scheme satisfactorily demonstrates significant enhancements to sustainable design in accordance with criterion d. and Policy GP9. The implementation of such enhancements can also be managed by condition.

- e) *it can be demonstrated that the new building can be constructed in such a way as to not have any unacceptable adverse impacts on the landscape character or openness of an area*

The extension of curtilage associated with the proposed scheme would also fall to be considered under Policy GP15 (Creation and extension of curtilage). In addition, Policy GP1 is relevant in relation to the impact on open and undeveloped land, and the Strategy for Nature in respect of contributions to biodiversity.

Policy GP15 states that a proposal to create or extend curtilage will be supported subject to a number of criteria.

The proposal is to extend the curtilage towards the centre of the site, reducing the curtilage associated with the existing dwelling at the site, and squaring off the line across the site. This would enable the repositioning of the dwelling on the site and result in a better provision of amenity space to the two dwellings. The curtilage extension would comprise a relatively modest area of land. Furthermore, and as stated above, the revised position of the building will follow the building line of neighbouring properties to the north and south along Route des Clos Landais and would continue the built form. In assessing the application for a replacement dwelling of a much larger size and proportion on land to the south, its effect on the openness of the surrounding area was not considered to be an issue. The proposal would not therefore impact on the openness of the area in public views.

The proposed earthbank and hedge planting along the west boundary of the curtilage would appropriately delineate the curtilage, preventing further encroachment into the open/agricultural land and any associated domestic paraphernalia would be of limited visual impact, enclosed within the existing and enhanced boundaries. The proposed planting scheme is generally of an appropriate nature, is proportionate to the extent of land in question, and would enhance biodiversity value, however it is suggested that the detailed planting schedules (including planting densities, and the height of plants at the time of planting) and a scheme for the future management of the planting be provided (controlled by condition) to ensure that biodiversity enhancement is obtained and provided in the future.

Limited evidence has been provided to demonstrate that the land could not positively contribute to the agricultural use of the surrounding land, however, as originally drawn the curtilage involved a staggered line that hugged the built form on the site. Given the sustainability benefits of relocating the building in a more central location within the site combined with the nature of the surrounding development and that a 122m² section of existing curtilage will be offset and reinstated as agricultural land providing a more logical and consistent boundary, the proposal is acceptable in this particular instance. Furthermore, the proposal would not affect the agricultural access approved under the previous scheme which will be retained along the southern boundary of the site providing a suitable access to ensure that the remaining agricultural land could be continued to be used for such purpose. In light of the above, the proposed extension of curtilage would not have a significant impact on openness or the commercial agricultural use of an Agriculture Priority Area. The property is not located within or adjacent to an Area of Biodiversity Importance and the proposal does not include the removal of any boundary treatments. On balance therefore, the proposed creation of curtilage would therefore meet the requirements of criterion (e) of Policy GP16(B) and policies GP1 and GP15, subject to a condition requiring the implementation of the landscaping scheme.

- f) *it can be demonstrated that the new building can be constructed in such a way as to not have any increased impacts on the amenities or reasonable enjoyment of occupiers of neighbouring properties and the surrounding area*

This matter is considered in more detail below alongside consideration of Policy GP8 of the Island Development Plan.

As outlined above, the siting of the building will not result in harm to the openness and character of the area. The proposed dwelling does represent a good standard of architectural design that respects the local built environment as set out in more detail above. The scheme accords with Policy GP8 criteria a) and c) of the Island Development Plan.

The erection of a single-storey dwelling on the site does not represent multi-storey development that represents the most efficient and effective use of land however,

the existing building is single-storey and the submitted scheme does, in all other respects, meet the aims of Policy GP8. Furthermore, creating a multi-storey building in this case could have a negative impact on the design of the development resulting in a scheme that fails to meet the floorspace and volume requirements of Policy GP16(B).

Residential properties are situated to the north and south of the property however the single storey nature of the scheme and its distance from the shared boundaries would be sufficient to prevent harm to residential amenities. The external space provided to serve the dwelling would be generous and offer an attractive outlook from the dwelling. Overall, the proposed dwelling would provide an adequate living environment, in accordance with Policy GP8(d) and Annex I: Amenities having regard to the health and well-being of occupiers of the development with regard to sunlight/daylight and amenity space.

The single-storey nature of the development is such that the accommodation is on a single level without stepped access and has open plan living and accessible bedrooms and bathrooms and an accessible parking area. The accommodation could be used in a different way to that shown on the application drawings and the property could also be extended in the future. Overall, the scheme therefore demonstrates accessibility to and within the building for people of all ages and abilities, offering flexible and adaptable accommodation that can respond to people's needs over time.

Parking and access

Policies IP7 and IP9 relate to private car parking and highway safety, accessibility and capacity respectively. The scheme proposes adequate off-road parking to serve the development along with on-site turning to enable vehicles to turn and exit the site in a forward gear. A timber shed has been provided on the site that would be suitable for any associated bicycle storage. The proposed dwelling, having regard to the conversion scheme, will not result in an intensification in the use of the access nor an unacceptable increase in traffic on the local roads. The access onto the local road network is satisfactory with regard to road safety and the scheme therefore accords with the requirements of Policies IP7 and IP9 of the Island Development Plan.

Other issues

The application has been accompanied by a Waste Management Plan setting out information relating to the recycling and disposal of waste arising from demolition on the site. It is concluded that further information in connection with a Site Waste Management Plan can be controlled by planning condition and therefore Policy GP9 has been satisfied in this respect.

The States Office of Environmental Health have recommended that due to the previous use of the site as a vinery and the proposed nature of the development and works (that require the breaking of the ground) that a condition is included on any

permission for a robust contaminated land risk assessment to be submitted to and approved by the Authority. Although this was not a requirement of the previous permission for the replacement dwelling at the site, given the comments raised by OEHPR with particular regard to former packing sheds and that these “*raise discrete contaminated land considerations associated with the building itself*” the suggested condition is acceptable in planning terms and should be included on any permission.

Conclusion

In view of the above it is recommended that planning permission is granted for the proposed development subject to conditions.

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. These issues where relevant have been considered in the assessment of this application.

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: 19/03/2026

