

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 vine house, alter main house and extend to north-west and south-east. Erect carport to east of house. Alterations to outbuilding/annex to north-east of house. Alterations to landscaping, including creation of raised terraces, laying of hardsurfacing, realignment of driveway and installation of gates. Widen existing vehicle to south-east boundary and install gates.

LOCATION: Moss Manor, Ruelle De La Generotte, Castel.

APPLICANT: Mr T Moss

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: 18/09/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 25/06/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Arch+ 254-3-300A, 301A, 302A, 303A, 304A, 305A, 306A, 307A, 308A, 309A, 310A, 311A, 312A, 313, 314A

Application Ref: FULL/2026/0943

Property Ref: D012510000

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.Any excavations associated with the alterations to the site access or the extension of the existing driveway which would be located within the root protection zone of a tree shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered. Within these areas, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil of any kind shall be placed or stored thereon.

Reason - The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

5.Within four weeks of the existing roadside wall and gate pillars being demolished, the new wall and gate pillars shall be constructed in accordance with the approved plans.

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

6.If, during development, contamination is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

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

Expiry Date: This permission will cease to have effect on 17/09/2029 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/2026/0943
Property Ref: D012510000
Valid date: 25/06/2026
Location: Moss Manor Ruelle De La Generotte Castel Guernsey GY5 7PG
Proposal: Demolish vine house, alter main house and extend to north-west and south-east. Erect carport to east of house. Alterations to outbuilding/annex to north-east of house. Alterations to landscaping, including creation of raised terraces, laying of hardsurfacing, realignment of driveway and installation of gates. Widen existing vehicle to south-east boundary and install gates.

Applicant: Mr T Moss

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. Any excavations associated with the alterations to the site access or the extension of the existing driveway which would be located within the root protection zone of a tree shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered. Within these areas, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil of any kind shall be placed or stored thereon.

Reason - The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

5. Within four weeks of the existing roadside wall and gate pillars being demolished, the new wall and gate pillars shall be constructed in accordance with the approved plans.

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

6. If, during development, contamination is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

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

OFFICER'S REPORT

Site Description:

Moss Manor is located to the south-west of Ruelle de la Generotte. The main building group is located within the domestic curtilage in the eastern part of the site, adjacent to and accessed from that road. The building group comprises the main dwelling, which is 2.5 storey from the front (south-west) and 3.5 storey from the rear (north-east), vinehouse, 1.5 storey detached annex and detached garages and abuts another residential property to the north. The extensive grounds associated with the property extend away from the building group to the south, west and north-west.

For clarity, throughout the planning submission ground floor is taken as the floor accessed at ground level to the front (south-west) of the dwelling. Due to lower

ground levels to the rear (north-east) of the site, the ground floor is elevated one storey above ground level on that elevation. This approach is replicated in this report.

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

Relevant History:

05/06/2025 Grant of Immunity Certificate and associated confirmation of domestic curtilage.

Existing Use(s):

Residential Use Class 1
Agricultural Use Class 28

Brief Description of Development:

Permission was initially sought to extend and alter the dwelling as follows:

- Demolish vine house;
- Alterations to main house, including:
 - o Replace and upgrade existing dormers;
 - o Replace bay windows (front/south-west);
 - o Replace steps, form portico and create raised terraces (front/south-west);
- Construct 2 storey plus basement extensions to north-west and south-east of main house;
- Construct basement extension projecting forward of north-west extension with roof terrace and first floor balconies to north-west and north-east elevations;
- Erect carport to east of house;
- Alterations to outbuilding/annex to north-east of house:
 - o Upgrade dormer windows, remove rooflight and replace rooflights;
 - o Remove window (south-east).
- Formation of new driveway, to access new gravelled drop off/turning area forward of main house – partially outside of recognised curtilage.

In addition the following works were proposed:

- Alterations to landscaping, including creation of terraces/courtyards;
- Installation of gates across existing driveway;
- Widen existing vehicle to south-east boundary and construct new gates, set back from roadside.

Following deferral, the plans were amended as follows:

- Omission of external staircase from Upper Ground Floor kitchen balcony to lower terrace;
- Omission of north-east first floor balcony;
- Reduction in size of north-west balcony and inclusion of privacy panel;
- Re-routing of proposed driveway/parking area at front of dwelling to within recognised domestic curtilage;
- Re-positioning of swimming pool (applicant's choice);
- Alteration of car port roof from pitched to flat (applicant's choice).

The submitted plans also show the temporary installation of 2 storage containers for the duration of works at the site, one to the rear of the garages and one to the south of the main house. The location of those containers would be within the recognised curtilage and would be exempt under Class 5(2) of the Land Planning and Development (Exemptions) Ordinance, 2026, provided those containers are permanently removed from the site upon completion of any operations approved under this application, or within three years of their installation, whichever is sooner, as stated in the submitted material.

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

GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Representations:

Agriculture, Countryside and Land Management Services comment as follows:

I am writing to comment on the above planning application in relation to the potential impact of the development on the existing mature trees. The application outlines proposals to widen the existing access road from the Ruelle de la Generotte as well as the laying of a new section of driveway both of which may be in close proximity to mature trees.

Although no trees are proposed to be felled and there are no trees protected by TPOs, on site, the Digimap photos shows a mature canopy cover which may be at risk from construction injury. It would be helpful to:

- have a survey of the trees based on BS5837:2012 to identify the relative quality of the trees worthy of retention and protection,
- an arboricultural impact assessment which uses the survey data to identify potential impacts and
- a tree protection plan which demonstrates how potential impacts can be mitigated

Consultations:

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

There is the potential for the land to be contaminated with heavy metals and pesticides due to the presence of the glasshouse at the site. Due to the size of the glasshouse and the extent of works at the site, which include the demolition of the glasshouse and subsequent breaking of ground to erect an extension and swimming pool in the area the glasshouse is currently located, I recommend that the full contaminated land condition is attached to any consent granted for this application:

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.

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>.

Summary of Issues:

Design and impact on the character of the area;
Impact on neighbour amenity.

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).**

Extension and alteration to the main house

Policy GP13 of the Island Development Plan indicates that alterations and extensions to residential properties will be supported where there is no significant adverse impact on the amenities of adjoining properties; the design, scale, mass and form of development does not detract from the character of an open area; and there is no

adverse effect on the special interest of a Conservation Area, Area of Biodiversity Importance, Protected Building or Protected Monument.

In this case, Policies GP8 and GP9, relating to Design and Sustainable Development, would also be relevant.

The proposed extensions and alterations to the main house, as described above and including the erection of the car port, have been designed to respect and complement the existing built form and would achieve a good standard of design. As such, whilst the building can be seen for a short section of the adjacent road to the east and glimpsed in longer views from Rue de la Masse to the south-west, the proposals would not have any adverse impacts in those views.

The extensions and alterations to the main house, together with the erection of a car port, would be set away from the boundary with the adjoining property to the north and would not give rise to any adverse impacts in terms of overbearing or overshadowing. In terms of overlooking, there is already an element of overlooking from the existing building, although impacts are somewhat mitigated by the presence of the intervening outbuilding on the application site, the high dividing boundary wall and the position of the built form on the adjoining site. The proposed alterations to the existing building and extension to the south-east would not result in significant additional overlooking. The extension proposed to the north-west would however project beyond the existing built form on both the application and adjoining site and the north-east elevation would face towards the amenity space associated with the adjoining dwelling, albeit at a distance of c14m at basement and ground floor levels and 16m at first floor level. On balance, the simple incorporation of windows in that elevation would not give rise to sufficient additional overlooking to warrant objection to the application, given that the existing boundary wall would obscure views from the basement and ground floor level and the distance between the first floor windows and the boundary. As initially proposed, the plans however included a balcony at first floor level across the north-east elevation of the extension, which would be far more intrusive on neighbour amenity. The proposals also included balconies at ground and first floor level to the north-west elevation, primarily oriented to face over the property grounds in that direction. The distance from the boundary and height of the intervening wall would prevent any side views towards the adjacent property from the ground floor balcony, however there were some concerns regarding potential overlooking from first floor balcony. Following deferral, the north-east balcony has been omitted and the north-west balcony has been significantly reduced, and a privacy screen has been introduced to the north-east edge of the reduced balcony. The omission and reduction of the balconies as proposed would overcome the concerns regarding overlooking. Whilst the inclusion of the privacy screen is welcomed, given the reduction in size of the associated balcony, and therefore increased distance from the boundary, it is not considered necessary to condition installation in this case. Overall, taking into account the revisions made, the proposals would not give rise to any significant impact on neighbour amenity.

Alterations to outbuilding/annex to north-east of house

The annex exists as ancillary accommodation to the main dwelling, and the current proposals would not alter that use. The proposed works would fall to be considered under the same policy framework as the alterations to the main house, and would comprise limited alterations which would not significantly alter the design and appearance of the building, impact on the wider character of the area or impact on neighbour amenity.

Widening of access

The widening of the access would fall to be considered under the same policy framework as outlined above for works to the main house, together with Policy IP9, relating to highway safety.

Following deferral, an accurate tree survey has been provided, showing the location of trees adjacent to the south side of the access. These trees are proposed to be retained, and a condition can be added to the decision limiting the extent of works which can be carried out within the Root Protection Zones to ensure the ongoing retention of these trees. A planter is also proposed to the south side of the access, in place of the existing tarmac, to further alleviate any potential impact on the adjacent tree.

The proposed alterations to the access would improve the functionality and safe use of the access, without detriment to the character of the area. A condition should be attached to any decision issued to ensure that the widened access is made good within a reasonable timeframe.

Driveway extension and creation of parking

Following deferral, the proposed driveway extension has been re-positioned and is now entirely located within the recognised domestic curtilage of the property. These works would therefore fall to be considered under the same policy framework as outlined above for works to the main house, together with Policy IP7, relating to parking provision.

An accurate survey plan has been provided, demonstrating that the driveway would not require the removal of any existing trees. It is however acknowledged that the driveway would be located within the Root Protection Zone of one large tree and root protection measures are proposed, a matter which can be controlled through planning condition.

In light of the above, the proposed driveway and parking area would comprise reasonable aspirations which would not give rise to any adverse impacts.

Other matters

The remaining works proposed, including landscaping and installation of gates within the domestic curtilage, would be acceptable under the above mentioned policies.

Confirmation has been received that the proposed development has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

Whilst the comments raised by the Office for Environmental Health and Pollution Regulation are noted, map and aerial photograph regression shows that glasshouses at this site were limited to the footprint of the existing vinehouse attached to the north-west gable of the dwelling and along the north boundary of the site, the latter being outside of the areas of proposed work. It is also evident that the vinehouse was replaced, including significant ground works, in the mid-1990s. Given this, and the location of the proposed works, it is not considered reasonable to require an extensive land contamination assessment in this case, and instead it is recommended that a condition be attached for the Authority to be contacted in the first instance should any land contamination be discovered during the construction of the proposed works.

Conclusion

Subject to the conditions recommended above, the revised scheme would accord with the purpose of the Law, material considerations and relevant planning policies and approval is recommended.

Date: 15/09/2026