

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: Change of use of agricultural land to domestic garden (1,636sqm) (Protected Building).

LOCATION: La Chaumiere, Les Hougues Peres, Vale.

APPLICANT: Mr Morgan & Miss Casey

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 30/06/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Jason Hobbs Architectural Services Ltd - 6656/A/1b

Application Ref: FULL/2026/1052

Property Ref: C015880000

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. Notwithstanding the details shown on the approved plans, prior to the 31st December 2026, a landscaping scheme, to include those details specified below, shall be submitted to and agreed in writing by the Authority:

- i) planting schedules, noting the sizes of the 16 small trees shown on the approved plans;
- ii) accurately plotting all existing trees, hedges and other landscape features, confirmed through the application to be retained, and indicating clearly those to be removed;
- iii) the size, appearance and location of the bird and bat boxes indicated as a note approved drawing to be installed.
- iv) a landscape management plan, including long term objectives and maintenance schedules for the retained landscaping (see ii) above) and wildflower area shown on the approved plans.

Reason - To ensure that the development provides adequate and appropriate biodiversity enhancements in line with the aims of the adopted Strategy for Nature, 2020.

5. The landscaping scheme (condition 4 above) shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the date of this decision, by 31st March 2027. 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 ensure that the development provides adequate and appropriate biodiversity enhancements in line with the aims of the adopted Strategy for Nature, 2020.

6.If, during any development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the applicant has submitted to the Authority a method statement to identify, risk assess and address the unidentified contaminants, and obtained written agreement from the Authority for the works to continue. Any subsequent works shall be carried out only in accordance with the conclusions and recommendations contained in the agreed 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:-

Please find enclosed a copy of comments made by Agriculture, Countryside and Land Management Services. Please ensure that these comments are properly considered in carrying out approved scheme and landscaping.

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The site may be used for roosting/nesting 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.

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/2026/1052
Property Ref: C015880000
Valid date: 30/06/2026
Location: La Chaumiere Les Hougues Peres Vale Guernsey GY3 5AG
Proposal: Change of use of agricultural land to domestic garden (1,636sqm) (Protected Building).

Applicant: Mr Morgan & Miss Casey

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).

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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. Notwithstanding the details shown on the approved plans, prior to the 31st December 2026, a landscaping scheme, to include those details specified below, shall

be submitted to and agreed in writing by the Authority:

- i) planting schedules, noting the sizes of the 16 small trees shown on the approved plans;
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Reason - To ensure that the development provides adequate and appropriate biodiversity enhancements in line with the aims of the adopted Strategy for Nature, 2020.

5. The landscaping scheme (condition 4 above) shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the date of this decision, by 31st March 2027. 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 ensure that the development provides adequate and appropriate biodiversity enhancements in line with the aims of the adopted Strategy for Nature, 2020.

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

INFORMATIVES

Please find enclosed a copy of comments made by Agriculture, Countryside and Land Management Services. Please ensure that these comments are properly considered in carrying out approved scheme and landscaping.

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The site may be used for roosting/nesting 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.

OFFICER'S REPORT

Site Description:

La Chaumiere is situated on a corner of Les Hougues Peres. The property occupies a substantial site but itself is a modest cottage with gable facing the road and front windows facing southwest across a front garden with mature landscaping which screens the neighbouring bungalow from view. Glimpse views of the site are possible across the garden area of this adjoining bungalow and also looking east along the winding lane.

The property has an asymmetrical slate roof, granite front elevation with sash windows either side of a central front door. To the rear is a single-storey extension with catslide roof over and a single-storey mono-pitch roof extension to the side/northwest of the dwelling. The remains of a lean-to glasshouse and a pig sty are evident to the northwest of the dwelling along with the remains of a detached granite outbuilding adjacent to the east boundary and the vehicular access.

The site is located Outside of the Centres as designated in the Island Development Plan and the property is a protected building.

Relevant History:

FULL/2024/1845 - Erect single storey extension to north-west (side) elevation, rebuild chimney, install rooflights, fenestration and internal alterations. Erect detached single storey outbuilding to east boundary - granted

Existing Use(s):

01 dwellinghouse
28 agriculture

Brief Description of Development:

The application relates to the change of use of agricultural land to domestic garden at La Chaumiere, Les Hougues Peres.

The application was deferred in order to seek further details of the site layout and its features along with biodiversity measures to address the Strategy for Nature Supplementary Planning Guidance. (SPG).

Revised plans show that new native hedgerow is proposed around the site perimeter with new tree planting proposed (16 trees) and a wildflower meadow. 7 bird and bat boxes are also referred to as being provided although not clearly annotated on the submitted plan.

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

OC5(B): Agriculture Outside of the Centres – Outside the Agriculture Priority Areas

GP1: Landscape Character and Open Land

GP15: Creation and Extension of Curtilage

Strategy for Nature SPG

Representations:

La Societe Guerneslaise - 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.

Whilst the application includes some biodiversity measures, we have seen this identical information included in other planning applications. As such, the proposals are not necessarily site-specific. Further, without knowing the ecological value of the current site, we cannot be sure that existing habitats and associated wildlife would be safeguarded and enhanced.

To highlight some specific concerns -

- Bird and bat boxes require different positions - bat boxes should not be faced between north and east as unlike bird boxes, they require some (but not excessive) sun.
- Seven hedgehog boxes is excessive for a single site.
- The wildflower mix includes various non-native species and may not meet the Wildflower Meadow Guidance.
- Although native, Blackthorn suckers and spreads freely and is not necessarily suitable for all domestic sites.

If this application is considered further, we would recommend that the site is assessed by a suitably qualified person in order to determine its current ecological value. Any subsequent mitigation measures would need to consider existing biodiversity and ensure that net gain is secured.

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.

Consultations:

Agriculture, Countryside and Land Management Services - Since 2021, there has been a requirement for applications to convert agricultural land to domestic curtilage to provide a scheme to enhance the biodiversity value of the site. In order to understand the potential impact of the proposal on the biodiversity of the site, and therefore what interventions are required to offset those losses and subsequently achieve an enhancement, the existing biodiversity value must first be assessed. This is best achieved by commissioning a Preliminary Ecological Assessment (PEcA) or similar.

The covering letter and block plan submitted with the application do not include an assessment of the existing biodiversity. Without an assessment we can only rely on available evidence sources, which may be out of date or reliant on interpretation. Whilst they shouldn't be used as a measure of existing biodiversity value, they can provide an indication of the *potential* ecological value of the site.

The best available evidence sources to help us understand the potential biodiversity value of the site are the results of the island wide Phase 1 habitat surveys and aerial photography. These data sources appear to indicate that the majority of the site is permanent grassland, with mature woodland/trees on the north and east, and mature vegetation in the centre. All these features are considered important ecological features and have the potential to support high biodiversity value.

Whilst the covering letter suggests that all boundary features and mature vegetation will be retained, the block plan appears to illustrate a landscaping scheme which is almost entirely comprised of new planting, including installation of a native hedge, small tree planting and a 'wildflower' area.

Given the potential for this development to result in the loss of important ecological features, and the biodiversity they support, we recommend that a PEcA is commissioned from a suitably qualified ecologist. The results of this PEcA should be used to inform an updated biodiversity strategy and landscaping plan. That plan should also provide more detail as to the intended treatment of the existing habitats and their ongoing management so that potential adverse impacts on biodiversity can be fully understood.

Should any trees be proposed for removal, we would also recommend that an arboricultural survey be commissioned, which should follow the recommendations laid out in sections 4.4 & 4.5 of British Standard BS5837:2012 Trees in relation to design, demolition and construction – Recommendations.

We note the proposed inclusion of bird and bat boxes and would welcome additional detail on the intended design and location of these so that we can provide advice on their suitability. We also note the proposal to include 7 hedgehog houses. As hedgehogs are territorial and are found at a density of circa 1 per hectare, 7 hedgehog houses in 1,636sqm would not likely provide a home for that same number of hedgehogs.

Finally, we would recommend that any revised landscaping scheme considers the recommendations in the Wildflower Meadows Guidance, which include recommending not cultivating and sowing seed on areas of permanent grassland.

Comments on revised plans:

In our previous response, we recommended that a Preliminary Ecological Assessment (PEcA) should be undertaken in order to understand the current biodiversity value of the site and how this will be impacted by the proposed plans. This could then be used to inform a biodiversity strategy or detailed landscaping plan for the achievement of an overall biodiversity enhancement, as required through Supplementary Planning Guidance for applications seeking to convert agricultural land to domestic curtilage.

As the revised plans do not include such an assessment or any further detail on the current features of the site and how they will be managed, we cannot be confident that this proposal would lead to an enhancement in biodiversity. The best available evidence (aerial photography and the Phase 1 habitat survey) suggests that this site currently holds important ecological features (such as mature trees, permanent grassland and mature vegetation) and has the potential to have a relatively high ecological value through its current management.

It appears from the plan that most of these features, including the mature vegetation to the North of the site and existing trees to the South, will be cleared. Although new native hedging and small trees are proposed, the level of biodiversity that these features will support may not be able to compensate for the loss of the current, more established ecological features. In addition, the wildflower meadow currently looks to be proposed for a site of permanent grassland. The Wildflower Meadow Guidance recommends a different approach to preserve the current habitat the grassland supports, instead suggesting a change in management practice (such as cutting once or twice a year) to encourage the growth of native flowers. Alternatively, appropriate compensation measures and site-specific management advice can be recommended by a suitably qualified ecologist within a PEcA.

We welcome the additional considerations for the bird and bat boxes. These should be installed prior to any removal of existing nesting features (such as mature trees) in order to offer appropriate compensation for the loss of natural habitat. Any removal of trees, shrubs and hedging should avoid bird breeding season (March-July inclusive) to avoid the risk of removal or disturbance of active nests, which could breach the Animal Welfare Ordinance (2012).

We note that our assessment of this application's potential impact on biodiversity is based on best available evidence which may be out of date. It is for this reason that we strongly recommend a PEcA is undertaken by a suitably qualified ecologist, which uses an assessment of the current biodiversity value of the site to inform plans to achieve biodiversity enhancement. The Authority may wish to see the results of the PEcA ahead of determining the application to ensure that the proposal is able to achieve an enhancement in biodiversity.

Summary of Issues:

The key issues in this case relate to the principle of the proposed change of use of land, effect on neighbour amenity and securing biodiversity enhancements to comply with the Strategy for Nature Supplementary Planning Guidance.

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.

The IDP sets out that there is support for the loss of an existing farmstead, agricultural building or land where the new use accords other relevant planning policies in the Island Development Plan. This provides a policy gateway for the change of use proposed.

The area of land is well associated with the existing dwelling, La Chaumiere and is not located within an Agriculture Priority Area. The outer boundaries of the site are clearly defined. The surrounding land is in separate ownership to La Chaumiere and the agricultural land that is the subject of this application. The application does not require any established boundary features to be removed in connection with the change of use of the land and the land is not identified as being situated within an Area of Biodiversity Importance.

The Island Development Plan recognises there is a balance between protecting open and agricultural land and other legitimate uses Outside of the Centres. The designation of the Agriculture Priority Area represents the Island's most valuable agricultural area. In this instance, given that the land is outside of the Agriculture Priority Area, the balance would not be towards protecting this land for agricultural purposes.

With regard to the impact on neighbouring properties, the proposal involves a change of use of an area of land to be included and managed as part of the residential curtilage and given the location of the land in relation to neighbouring residential properties and that adequate boundary screening separates the land from the neighbouring properties, the proposed change of use would not of itself have an adverse impact on or affect their amenities.

It is considered that the change of use would accord with Policy GP15 a)- e) and provided that the proposal accords with all other relevant policies of the IDP, the principle of change of use to domestic curtilage is considered to be acceptable in this particular location.

Given the established site boundaries the proposal would not undermine the wider landscape character or the openness of the area in accordance with Policy GP1.

As domestic garden normal householder exemption rights would apply however as a protected building these are more limited and a number of structures already exist on the site. As such, it is not necessary to remove any householder exemption rights in relation to the change of use of land proposed.

In line with the States' Strategy for Nature, 2020 Supplementary Planning Guidance, that all applications involving the change of use of agricultural land to domestic garden must be accompanied by information demonstrating environmental benefits in respect of biodiversity that will be incorporated should planning permission be granted. The application was deferred to seek clarification regarding this matter and as amended the site boundaries are all shown to be reinforced with native hedgerow, 16 new trees are proposed along with a wildflower area.

ACLMS have noted that the submitted plans do not clearly show that all boundary features and mature vegetation will be retained, although this is noted in the associated covering letter. If boundary planting is lost this would have a detrimental impact on important ecological features which support high biodiversity value. The retention of existing boundary landscaping, as per the covering letter, can be managed by planning condition in order to limit harm to the existing site value and with this safeguard in place the proposed biodiversity measures are considered proportionate to the land that is the subject of this application.

In view of the above it is recommended that permission is granted subject to details of the retention of boundary landscaping, the location of bird and bat boxes, more precise details of the landscaping annotated on the plan and a management plan for the retained areas of landscaping and proposed wildflower area.

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 or sites.

Date: 16/09/2026