

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005

AND SECTION 19 OF THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS) ORDINANCE, 2007

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

PROPOSALS: Erect single storey extension to east (side) elevation.

LOCATION: Tegur rear of Entre Nous, La Route Du Braye, St. Sampson.

APPLICANT: Mr & Mrs P Rouget

I refer to the application referred to below received as valid on 25/06/2025 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 25/07/2025

Drawing Nos: Chris Workman & Co Ltd - PR:24:06 E02A

Application Ref: FULL/2025/1020

Property Ref: B01078A000

The Development & Planning Authority has decided to refuse your application under the provisions of section 16 of the Land Planning and Development (Guernsey) Law, 2005 for the following reasons:-

1. The application is premature as the planning permission ref: FULL/2025/0120 for the change of use of the outbuilding from homebased business to a dwelling, has not been implemented. The building is therefore not recognised as an independent and self-contained dwelling under Use Class 1 and consequently the proposed scheme cannot be approved and assessed against Policy GP13: Householder Development.

OTHER REMARKS:-

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, against a decision to refuse an application for planning permission or outline planning permission to the Planning Tribunal on the merits. 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.

Copy of representations made

In reaching this decision the Development & Planning 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 to the Authority under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2025/1020
Property Ref: B01078A000
Valid date: 25/06/2025
Location: Teguor rear of Entre Nous La Route Du Braye St. Sampson
Guernsey GY2 4RD
Proposal: Erect single storey extension to east (side) elevation.
Applicant: Mr & Mrs P Rouget

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The application is premature as the planning permission ref: FULL/2025/0120 for the change of use of the outbuilding from homebased business to a dwelling, has not been implemented. The building is therefore not recognised as an independent and self-contained dwelling under Use Class 1 and consequently the proposed scheme cannot be approved and assessed against Policy GP13: Householder Development.

OFFICER'S REPORT

Site Description:

Entre Nous is a detached bungalow located to the north of Braye Road. An access driveway serving the dwelling and agricultural land beyond is situated adjacent to the east site boundary. The outbuilding that is the subject of this application is located adjacent to the west site boundary.

The site is located Outside of the Centres. The domestic garden of Entre Nous falls outside an Agriculture Priority Area however land to the north of the site is situated within an Agriculture Priority Area.

Relevant History:

FULL/2018/1042 - Construct one and a half storey home office building to rear of dwelling (Residential Use Class 5) and change of use of agricultural land (use class 28) to domestic garden and parking (residential use class 1) – granted (conditions relating to landscaping and obscure glazed first floor window)

FULL/2025/0120 - Demolish glasshouse, change of use of outbuilding to a dwelling and associated works (revised scheme) – granted (conditions relating to the removal of the glasshouse, cycle storage, boundary fence and hedge, landscaping and obscure glazed first floor window)

Existing Use(s):

01 Dwelling houses (incl. homebased business)

Brief Description of Development:

The application relates to the construction of a single-storey extension to the side/east of the building, named Teguor, to the rear of Entre Nous following the grant of permission for the conversion of the building to a dwelling. The extension has been designed with a pitched roof and render exterior to match the existing building.

Parking would be retained to the north of the building, as approved, and a garden area to the south, reduced from that previously approved as a result of the proposed extension.

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

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Representations:

None.

Consultations:

Office of Environmental Health and Pollution Regulation – no comments received at time of determination however, if the scheme had been considered acceptable in other respects it would be recommended that a discovery strategy condition be imposed.

Summary of Issues:

Whether the change of use of the building to a dwelling has been implemented in accordance with the approved permission, the design and appearance of the extension and its impact on the character and appearance of the locality and on residential amenity.

Assessment against:**1 - Purposes of the law.**

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

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

Having undertaken a site visit in connection with this application it is apparent that work has not commenced on the change of use of the building, or associated land, from the home based business to the approved dwelling. The glasshouse remains in situ and no boundary planting/fencing has been installed and the approved internal works do not appear to have been implemented in accordance with the approved plans. The recognised planning use of the building is not as a dwelling and the application is considered premature as there is no dwelling in existence to extend.

The implementation of the permission would require the requirements of the various planning conditions to have been complied with including the removal of the glasshouse, cycle storage provision, internal layout and boundary fencing/planting.

Other matters

The design of the extension respects the existing building and local built environment. It offers flexible and adaptable accommodation that can respond to the changing needs of occupiers and is served by fenestration to provide adequate sunlight and daylight to the accommodation.

Being single-storey and set away from neighbouring properties it will not result in overlooking or overshadowing of adjoining properties and gardens.

The scheme does not impact on the level of off-road parking provision, which remains sufficient in this Outside of Centres location. The scheme will not result in the unacceptable intensification of the use of the access.

Nonetheless, the application remains premature as the change of use has not been implemented in accordance with the approved plans and conditions and for this reason it is recommended that the application is refused.

3 - General material considerations set out in the General Provisions Ordinance.

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 24/07/2025

