

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 dormer window to south-east (rear) elevation, install rooflight to north-west (front) elevation and alterations to fenestration to create a unit of ancillary living.

LOCATION: Epcot Villa, Rue De La Ronde Cheminee, Castel.

APPLICANT: Mrs E Mauger

I refer to the application referred to below received as valid on 24/09/2025 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 08/12/2025

Drawing Nos: ArcTECH Freelance Architecture - EM-25-2251-02A

Application Ref: FULL/2025/1527

Property Ref: D01869E001

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 installation of the proposed dormer window located on the boundary with the neighbouring property does not achieve a good standard of design for the purposes of Policy GP8 or respect the amenities that neighbouring residents might reasonably expect to enjoy. If approved, the proposal would lead to an unacceptable loss of privacy and have a significant adverse effect on the amenities of the neighbouring residents to the south, contrary to Island Development Plan Policies GP8, GP9 and GP13.

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/2025/1527
Property Ref: D01869E001
Valid date: 24/09/2025
Location: Epcot Villa Rue De La Ronde Cheminee Castel Guernsey GY5 7GE
Proposal: Erect dormer window to south-east (rear) elevation, install rooflight to north-west (front) elevation and alterations to fenestration to create a unit of ancillary living.
Applicant: Mrs E Mauger

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The installation of the proposed dormer window located on the boundary with the neighbouring property does not achieve a good standard of design for the purposes of Policy GP8 or respect the amenities that neighbouring residents might reasonably expect to enjoy. If approved, the proposal would lead to an unacceptable loss of privacy and have a significant adverse effect on the amenities of the neighbouring residents to the south, contrary to Island Development Plan Policies GP8, GP9 and GP13.

OFFICER'S REPORT

Site Description:

The application site comprises a semi-detached dwelling located south of Rue De La Ronde Cheminee. The site is located Outside of the Centres as defined in the Island Development Plan.

The configuration of the two properties has one house sited immediately behind the other. Both properties are served by a garage, which is located towards the rear of the site. The double garage is split vertically with one half of the garage owned by Epcot Villa and the other by Kokopelli. Towards the rear of the double garage lies a garden associated with Kokopelli. The garden of Kokopelli extends the full width of the double garage.

The main external amenity space of Kokopelli is detached from the house and is accessed over the shared driveway and through the garage associated with Kokopelli.

Relevant History:

None germane to this application.

Existing Use(s):

Residential

Brief Description of Development:

Planning permission is sought to erect a dormer window to the south-east (rear) elevation, install a roof light to the north-west (front) and make alterations to the fenestration to create a unit of ancillary living accommodation.

The existing garage will serve as a utility and shower room on the ground floor and a bedroom at first floor level. The proposed bedroom includes a roof light to the front and a dormer window to the rear.

The application was deferred as concerns were raised over the potential for overlooking towards the neighbour's rear garden to the south of the proposed dormer window.

The agent has increased the cill height to 1.5m above finished floor and shown that a staircase will be located between the dormer window and the useable area of the proposed bedroom, creating a separation distance of approximately 1m.

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

GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Representations:

The Authority has received a letter of representation from one party objecting to the proposal. Grounds for objection principally relate to overlooking.

Representation has also been received in respect of the revised scheme, stating that the revised drawing does not show the full length of the garden therefore the overlooking concerns remain.

Consultations:

None.

Summary of Issues:

Whether the proposal would have any detrimental impacts on the amenities afforded to the occupiers of neighbouring properties.

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).**

The principle to create an additional area of habitable accommodation is supported under Policy GP13. Policy GP8 supports development where it achieves a good standard of design and does not result in significant harm to the amenities of neighbouring residents.

The agent has shown on the revised drawings that the cill height of the dormer will be increased to 1.5m above finished floor level, and that the floor area of the bedroom would be set back from the face of the dormer by approximately 1m due to the re-positioning of the staircase. However, concerns still exist over the close proximity and relationship between the proposed dormer and the external amenity space serving Kokopelli.

The proposal would result in an oppressive and overbearing feeling that the garden is overlooked due to the close proximity and layout of the neighbour's garden. Furthermore, whilst the staircase is shown to separate the proposed usable floor space of the bedroom and proposed dormer window, this could be altered in future without the need for planning permission, which would increase the potential for overlooking towards the neighbour's garden given that the cill height is only 1.5m above finished floor level. This creates an unneighbourly and harmful relationship to the amenities of neighbouring residents.

The installation of the proposed dormer window located on the boundary with the neighbouring property does not achieve a good standard of design for the purposes of Policy GP8 or respect the amenities that neighbouring residents might reasonably expect to enjoy. If approved, the proposal would lead to an unacceptable loss of privacy and have a significant adverse effect on the amenities of the neighbouring residents to the south, contrary to Island Development Plan Policies GP8, GP9 and GP13.

Date: 08/12/2025

