

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: Raise roof ridge height to create accommodation at first floor level to form ancillary living unit to outbuilding.

LOCATION: Ventimiglia, Les Salines Road, St. Sampson.

APPLICANT: Mrs J Firrisi and Miss M Firrisi

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: 23/04/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 03/11/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Paul Vaudin & Associates Ltd: 25-035-02, 03

Application Ref: FULL/2025/1744

Property Ref: B01602A002+B01602A000

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. For the avoidance of doubt, this decision permits the erection of the first-floor extension to be used as an integral part of and ancillary to the southern part of Ventimiglia, referred to as Ventimiglia South as shown on drawing ref:25-035-02. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

Reason - Due to the size, distance, functionality of the proposed extension, and its relationship above a retail unit, it is necessary and reasonable to attach a planning condition to this decision to ensure that the proposed extension remains ancillary to the primary use of the to the southern part of Ventimiglia, referred to as Ventimiglia South as shown on drawing ref:25-035-02, and does not become severed from that property to form an independent dwelling unless planning permission is sought and granted for such a proposal.

Expiry Date: This permission will cease to have effect on 22/04/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, the southern part of Ventimiglia, , is recognised as a dwelling-house, while the northern part of Ventimiglia, 'Ventimiglia North' is recognised as a self-catering unit.

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/2025/1744
Property Ref: B01602A002+B01602A000
Valid date: 03/11/2025
Location: Ventimiglia Les Salines Road St. Sampson Guernsey GY2 4FQ
Proposal: Raise roof ridge height to create accommodation at first floor level to form ancillary living unit to outbuilding.

Applicant: Mrs J Firrisi and Miss M Firrisi

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. For the avoidance of doubt, this decision permits the erection of the first-floor extension to be used as an integral part of and ancillary to the southern part of

Ventimiglia, referred to as Ventimiglia South as shown on drawing ref:25-035-02. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

Reason - Due to the size, distance, functionality of the proposed extension, and its relationship above a retail unit, it is necessary and reasonable to attach a planning condition to this decision to ensure that the proposed extension remains ancillary to the primary use of the to the southern part of Ventimiglia, referred to as Ventimiglia South as shown on drawing ref:25-035-02, and does not become severed from that property to form an independent dwelling unless planning permission is sought and granted for such a proposal.

INFORMATIVES

For the avoidance of doubt, the southern part of Ventimiglia, , is recognised as a dwelling-house, while the northern part of Ventimiglia, 'Ventimiglia North' is recognised as a self-catering unit.

OFFICER'S REPORT

Site Description:

The application site consists of a single storey bungalow, known as Ventimiglia, located towards the west of the site. The property is located south of Les Salines Road and is situated Outside of the Centres as designated in the Island Development Plan.

To the east of the dwelling lies a single storey flat roof outbuilding, currently used as hair dressing and beauty salon. The former detached garage was converted into an independent hair dressing salon in 1985.

The land to the south of the dwelling was granted a change of use from agricultural land to domestic curtilage in 2023, under application ref: FULL/2023/1248.

Car parking provision serving the house and the business is primarily focused towards the south of the dwelling and hair dressing salon.

Matters of clarification and relevant history:

Despite the agent's claims set out in their letter dated 29th October which refers to two dwelling-houses (Ventimiglia North, or No1 and Ventimiglia South, or No 2) which are jointly owned by the applicants, but independently occupied and

registered under separate Cadastre numbers; it is understood that the dwelling-house was subject to a number of applications in the 1970s and 1980s, of which the most pertinent are set out below:

- 1976 – Extension to south of the main house, and to be used as guest house (reconsideration) - Granted.
- 1976 – Small kitchen extension granted to the west of the dwelling - Granted.
- 1981 – Conversion of guesthouse into two units of self-catering holiday accommodation – Refused.
- 1981 - Change of use of a guesthouse, to one residential unit and one self-catering holiday unit – Granted.
- 1981 – The alteration and conversion of a guesthouse to one dwelling, and a self-catering holiday unit - Granted.
- 1985 – Change of use of self-catering holiday unit and annexe to form part of a dwelling - Granted.
- 1985 – Change of use of ex-garage to independent hairdressing salon – Granted.
- 1987 - Extend hairdressing salon - Granted.
- PAPP/1993/2771 - 1st floor extension to salon – withdrawn.
- PAPP/1993/3094 - Construct residential unit above hairdressing salon – Refused.
- PAPP/2002/0056 - Utilise part of dwelling as a chiropody clinic – Granted.
- PREA/2020/2125 - Erect 1st floor extension to outbuilding to serve as dower unit - Pre-application enquiry.
- FULL/2023/1248 - Change of use of agricultural land to domestic garden (920sqm) – Granted.
- PREA/2025/1426 – Create dower unit - Pre-application enquiry.

In light of the relevant history above, the dwelling-house was converted into a guesthouse in 1976, which later changed use to a single dwelling-house and a self-catering unit to the north in 1981, before finally changing the use of the self-catering unit to form part of the main dwelling in 1985, thereby reincorporating the visitor accommodation back into the main dwelling, and thus resulting in a single dwelling-house.

Despite the agent's claims that the site features two dwelling-houses (Ventimiglia North and Ventimiglia South) as set out in the covering letter dated 29th October 2025, the application was deferred to clarify the lawful use of the property which is recognised as a single dwelling-house, and not two.

The agent understands the lawful use of the property following the Planning Service's review of the property and archive file. The agent acknowledges an application to reintegrate the visitor accommodation back into the main dwelling in 1985, although claims that the self-catering unit (Ventimiglia North) was never reintegrated as part of the main dwelling as the permission was not implemented. The northern part of the building remains separated internally, with its own independent entrance

through the porch on the rear and parking provision shown as No.1 and 2 on drawing ref: 25-035-02, and has been used in such manner for circa 40 years.

The agent notes that the property has been subdivided and used independently for a number of years (without the benefit of planning permission), and that the applicant has no intention as part of this application to alter the property to revert it to a single dwelling house.

Consequently, given that the permission in 1985 was not implemented, the southern part of Ventimiglia is lawfully recognised as a dwelling-house, with the northern part of Ventimiglia lawfully recognised as a self-catering unit.

However, the agent has alluded to the fact that the main house and the self-catering unit has been rented out separately as two independent dwelling-houses for a substantial period of time, and therefore is likely to be immune from enforcement action as the unauthorised development is beyond 10 years. The agent has set out in their correspondence that:

In answer to your question, Ventimiglia North and South are currently rented out (Mrs Firrisi is living elsewhere on the island, paraphrased), as stated on the application form). In the event this application is successful, Mrs Firrisi intends to move back into Ventimiglia South. The ancillary living unit, once complete, would be occupied either by an employed, live-in carer, or by Mrs Firrisi's daughter, Miss M Firrisi, who is currently living in Canada (dated 23 January 2026).

From past conversations I understood that there have been two independent dwellings for many years, so if a historic split was unauthorised then presumably that is now immune from enforcement action being taken and could be regularised through submission of a CLU (dated 30 January 2026).

Whilst not lawful, this information is material to the decision-making process of this application given that the Authority may not be able to take enforcement action in response to the use of the building as two separate dwelling-houses. However, this would need to be demonstrated by the agent/applicant post the decision of this application following an investigation by Enforcement into the use of the premises. The applicant/agent would then need to submit a Certificate of Lawful Use in attempt to demonstrate the lawful use of the property as two dwelling-houses.

Existing Use(s):

Southern part of Ventimiglia - Residential Use Class 1 (dwelling-house).

Northern part of Ventimiglia - Visitor economy Use Class 8 (non-serviced visitor accommodation), self-catering unit.

Hair dressing salon – Retail use class 10: general retail.

Brief Description of Development:

Planning permission is sought to extend the hair dressing/beauty salon at first floor level to create an ancillary living unit (also known as a dower unit) to be used in connection with the southern part of Ventimiglia (dwelling-house).

The agent has set out in their letter dated 29th October 2025 that the applicants are considering options to enable a family member to continue living independently, healthily and safely as long for as possible.

The proposal seeks to create a one-bedroom ancillary living unit above the salon, to be occupied by a family member, or by a live-in carer employed by the family.

The proposed ancillary living unit will consist of a bedroom, bathroom, open plan living/dining/ kitchenette room and a small store room. The distance between the stairs of the unit and the front door of the host dwelling (Ventimiglia South) is circa 10m.

Recent pre-application advice (PREA/2025/1426) raised a number of concerns with regards to the proposed development, noting that it may be considered speculative in terms of its intended use, and might be considered as an independent living accommodation rather than ancillary living unit for a potential carer.

The agent notes in their e-mail of 17th February 2026 that the proposed ancillary living accommodation overlooks the existing communal access and parking area, and therefore there should be no concerns around overlooking, privacy and residential amenity (given that the northern part of the building is recognised as visitor accommodation).

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

OC1 Housing Outside of the Centres.
GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Ancillary/Associated Living Accommodation Units – A Guide to Development.
(Planning Advice Note – AN1).

Representations:

None.

Consultations:

None.

Summary of Issues:

- Principle of the development to create an ancillary living unit and its relationship to the host dwelling.
- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring residential 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).

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

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

Policy GP13 (Householder Development) states that proposals for the alteration and/or extension of residential properties within the residential curtilage, will be supported where there are no significant adverse effects on the amenities of neighbouring properties; the design, scale, mass and form would not detract from the open character of open locations; and they do not affect the special interest of a Conservation Area, Area of Biodiversity Importance, protected building or protected monument.

Policy GP13 also states that proposals for dower units will be supported provided the additional accommodation is demonstrably incidental and well-related to the existing dwelling and there are no significant adverse effects on the amenities of neighbouring properties.

Paragraphs 19.14.14 -15 relating to Policy GP13, state that:

“Dower units can be acceptable in circumstances where a completely independent unit of accommodation would not comply with the normal criteria regarding access, space about dwellings and residential amenities. Proposals usually take the form of extensions to the main dwelling but can also include conversion of existing or the construction of new outbuildings within the recognised domestic curtilage where these are well related to the principal dwelling. Proposals to create dower units will be assessed sympathetically and will be supported where the proposal is acceptable in

terms of the impact of the development on the amenities of neighbouring residents.

It is acknowledged that there is a requirement for a degree of independence for some members of a shared household in order to create a satisfactory living environment. However, it is important that dower units do not become separated from the principal use of the dwelling as a single household and planning conditions may be applied to a planning permission to ensure that the unit is not a wholly self-contained unit of residential accommodation and that the dwelling as a whole is still being used for one household, unless the proposals are able to satisfy the policy requirements for new dwellings in the Island Development Plan”.

In this instance Policy GP8 (Design) is also relevant. The preceding text to Policy GP8 refers to the need to consider the material planning considerations as specified in Part IV, Section 13 of the Land Planning and Development (General Provisions) Ordinance 2007. These include the appropriateness of the development in relation to its surroundings in terms of its design, layout, scale, siting and the materials to be used, as well as its likely effect on the character and amenity of the locality in question and its likely effect on the reasonable enjoyment of neighbouring properties.

The property in question is not a protected building nor situated within a Conservation Area. In less sensitive areas such as this, Policy GP13 indicates that less prescriptive control will be applied. This flexible and proportionate approach underpins the objectives of the Island Development Plan and is further emphasised in Policy GP8 which adopts a supportive position with regard to building design in areas that are less sensitive to change.

Principle of the development and whether it is ancillary to the main house:

The proposed first floor extension above the hair dressing & beauty salon will serve as an ancillary living unit. The proposal has been submitted on the basis that the ancillary living unit will be occupied by a close family member, or by a carer to provide onsite assistance.

Policy GP13 highlights that proposals to create ancillary living unit (sometimes known as dower units), will be assessed sympathetically, and will be supported where the proposal is acceptable in terms of the impact of the development on the amenities of neighbouring residents.

Moreover, an ancillary living unit can take the form of a physically attached, or detached structure, provided that it is well related to the principal dwelling-house. In this case, the application opts for a detached ancillary living unit and will be located within an acceptable distance (circa 10m) from the dwelling-house (the southern part of Ventimiglia).

Sufficient car parking provision exists to the south of the property to accommodate any additional vehicles, including a carer or a close family member, together with those associated with the dwelling, self-catering unit and a hair dressing/nail business.

The agent has provided assurances in their letter dated 29th October 2025 that the proposed ancillary living unit will share the garden, utility supplies, vehicular access and parking area with the main house.

It is however recognised that the proposed ancillary living unit would be sited above an independent planning unit, and users of the proposed ancillary living unit, whether it be for a family member or a carer, would need to travel over an area of hardstanding that is used by individuals associated with the host dwelling, as well as users of an independent hair salon business.

This relationship does raise some especially when taking into account the size and functionality of the ancillary living unit, above an independent planning unit, which could increase the probability of the proposed ancillary living unit becoming occupied separately, particularly as the unit has all the facilities that would encourage a self-contained unit of accommodation. However, when taking into account the reasonable distance between the ancillary living unit and the host dwelling, its overlooking relationship and outlook from first floor level towards the host dwelling and the lawfully recognised self-catering unit, it would make it problematic to easily utilise the ancillary living unit as a separate unit of accommodation. Furthermore, the ancillary living unit will be occupied by a family member or carer, and together with the shared parking area, garden, utility supplies, vehicular access and parking area with the main house, as per the agent's assurances, provides confidence in how the proposed ancillary living unit will be used in connection with, and be subordinate to, the host dwelling.

It is therefore considered necessary and reasonable to attach a planning condition to this decision to ensure that the proposed extension remains ancillary to the primary use of the dwelling-house (Ventimiglia South) and does not become severed from that property to form an independent dwelling unless planning permission is sought and granted for such a proposal.

On balance, the application accords with the aims and objectives of Policy GP13 of the Island Development Plan, and Supplementary Planning Guidance Note 1 - AN1 (Ancillary /Associated Living Accommodation Units a Guide to Development), subject to conditions.

Design and impact of the development on the character and appearance of the area:

The proposed first floor extension adopts an acceptable standard of design in terms of its mansard roof design, scale, mass, form, materials and appearance.

The extension is relatively limited in scale and will not be unduly prominent in wider public views that would be sufficient to cause unacceptable harm. While the scale, bulk and mass of the outbuilding will noticeably increase, the resultant effect is not considered to have a significant detrimental effect on the character of the area or to the detriment of visual amenity, particularly as the proposed first floor extension will be setback from Les Salines Road.

Overall, the proposal adopts an acceptable design and therefore the development is compliant with Policy GP8 and Policy GP13.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Impact of the development on neighbouring residential properties:

The impact on the amenities of neighbouring residents will be noticeable due to the change in scale, mass and form, particularly those residents located to the north, and east of the proposed ancillary living unit. Whilst it is recognised that the increase in the bulk and mass of the outbuilding will result in additional shadowing and be more oppressive, particularly to the residents located to the east of the application site, it is considered that the impact from the development would not cause unacceptable harm when taking into account its siting, orientation, distance and relationship to neighbouring properties.

No windows are proposed on the north or east elevations of the ancillary living unit therefore the proposal will not result in overlooking concerns in either direction.

Whilst it is recognised that the northern part of Ventimiglia is separated from the southern part of Ventimiglia and is currently rented out as separate independent unit of accommodation, the lawful use of the northern part of Ventimiglia is regarded as a self-catering unit of accommodation, as approved in 1981.

For the purposes of this application, the northern part of Ventimiglia remains as lawful unit of self-catering (visitor) accommodation, and therefore any overlooking and outlook from the first floor of accommodation serving the ancillary living unit (i.e. from the proposed bedroom and kitchenette), would be directed towards the same planning unit given that the lawfully recognised self-catering unit is ancillary to the host dwelling (Ventimiglia South). Any overlooking effect would not result in substantial harm.

Consequently, the impact on neighbour amenity is acceptable in accordance with Policy GP8 and GP13.

Other matters:

The Authority is cognisant that the agent claims that the self-catering unit of accommodation has been unlawfully used as a separate dwelling-house for decades

which is material to the decision-making process, and therefore if correct, the unauthorised dwelling-house could be immune from Enforcement action. However, the claims made by the agent would need to be satisfactorily demonstrated separately as part of any investigation carried out by Enforcement. Any subsequent application to regularise the subdivision of the host dwelling (Ventimiglia) into two dwelling-houses would need to be assessed on its individual merits and involve different planning policy considerations, or could be considered via the submission of a Certificate of Lawful Use application in attempt to regularise the claimed independent unit of accommodation.

Conclusion

Despite some concerns remaining over the use of the proposed ancillary living unit, it is concluded that the application has, on balance, satisfactorily demonstrated that the proposed detached dower unit would be ancillary upon the host dwelling and therefore complies with Policy GP13 and Planning Advice Note – AN1.

It is recommended that the application be approved.

Date: 23/04/26