

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: Convert, extend and alter building to create dwelling and associated works (site of a Protected Building).

LOCATION: Hougue Bacheley, Rue De La Hougue Bachele, St. Saviour.

APPLICANT: Mr David Coleman

I refer to the application referred to below received as valid on 04/11/2025 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 09/03/2026

Drawing Nos: PF+A: 7928-01 B1, B2, B3

Application Ref: FULL/2025/1754

Property Ref: E011120000

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 conversion of the building to a dwelling, by virtue of the size of the existing building, would result in residential accommodation below the minimum standards set down in the Building (Guernsey) Regulations, 2012 and the practical guidance on those requirements in the associated Guernsey Technical Standards. The floor area of the building is such that the scheme would not accord with Policy OC1 of the Island Development Plan as a significant extension would be necessary to achieve the conversion to a residential unit.

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/2025/1754
Property Ref: E011120000
Valid date: 04/11/2025
Location: Hougue Bacheley Rue De La Hougue Bachele St. Saviour
Guernsey GY7 9QE
Proposal: Convert, extend and alter building to create dwelling and
associated works (site of a Protected Building).
Applicant: Mr David Coleman

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The conversion of the building to a dwelling, by virtue of the size of the existing building, would result in residential accommodation below the minimum standards set down in the Building (Guernsey) Regulations, 2012 and the practical guidance on those requirements in the associated Guernsey Technical Standards. The floor area of the building is such that the scheme would not accord with Policy OC1 of the Island Development Plan as a significant extension would be necessary to achieve the conversion to a residential unit.

OFFICER'S REPORT

Site Description:

The application site is located to the north of the dwelling-house known as 'Hougue Bacheley' which is a Protected Building. The site is comprised of a simple single storey building with mono pitch roof. The building appears to have been present on the site since at least the 1960's and is assumed to be a former packing shed, used in association with the glasshouse which once stood to the east of the dwelling, on the land which was developed for housing in the 1990s.

The application site is located Outside of the Centres as defined in the Island Development Plan (IDP) and is also within a Conservation Area.

Relevant History:

N/A

Existing Use(s):

01 Dwelling houses

Brief Description of Development:

The proposal is for the conversion and change of use of the former packing shed to a residential dwelling, with associated landscaping and parking.

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

OC1: Housing Outside of the Centres
GP4: Conservation Area
GP5: Protected Building
GP8: Design
GP9: Sustainable Development
GP16(A): Conversion of Redundant Buildings

Representations:

N/A

Consultations:

N/A

Summary of Issues:

The key considerations in this application include the principle of development including consideration of the size of the existing and proposed units and the standard of living accommodation proposed.

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.**Principle of Development:**

The Island Development Plan (IDP), supported by the SLUP and its Spatial Policy, aims to concentrate new housing within the designated Centres. Policy S4 reinforces this by stating that new housing Outside of the Centres will generally not be supported, helping to protect the countryside from unnecessary urbanisation.

The IDP therefore allocates housing land only within the Centres, allowing new housing Outside of the Centres only in very limited circumstances under Policy OC1. The permitted conversion of buildings Outside the Centres is not intended to increase

housing supply but to make sustainable use of existing, redundant, and structurally sound buildings.

Policy GP16(A) provides an exception by allowing such buildings to be converted to specified uses, including residential, where they meet strict criteria. This recognises that reusing structurally sound redundant buildings is more sustainable than leaving them unused.

Any proposal for housing Outside the Centres must therefore satisfy stringent tests set out in Policies OC1 and GP16(A). The IDP must always be read as a whole, with proposals assessed against all relevant policies, objectives, supporting text, and guidance. As such, Policy GP16(A) should not be considered in isolation when assessing conversions of redundant buildings Outside of the Centres.

Policy OC1: Housing Outside of the Centres; supports proposals for housing development Outside of the Centres achieved through the subdivision of an existing dwelling or the conversion of an existing redundant building in compliance with Policy GP16 (A) Conversion of Redundant Buildings. The proposal is therefore assessed against the criteria of Policy GP16(A) below.

a. it is demonstrated that the building is no longer required or capable of being used for its current or last known purpose;

The application site was a former horticultural store/shed when the land to the east was a glasshouse site, and was erected between 1938 and 1963. The glasshouses have been removed, and the land was redeveloped for housing and so the use of the building in association with agriculture is considered to have ceased.

The application accompanying letter states that the packing shed is located within the domestic curtilage of Hougue Bacheley and this is agreed. The agent has also confirmed that the main house is divided into two and that neither unit utilises the packing shed for storage. The smaller 'cottage' section of the dwelling benefits from the large outbuilding immediately to the east, and the main dwelling has use of the adjacent small glasshouse and outbuilding to the southeastern corner of the site. Although most of the smaller outbuildings shown on the site plan appear to have been removed from the site, a small replacement shed has also been erected in addition to the one retained in the corner of the site. These are considered to provide appropriate domestic storage for the scale and size of the two dwellings, and so the building is considered redundant for the purposes of the policy.

b. the conversion will result in the establishment of either residential, social and community, industrial, storage and distribution, convenience retail in coastal locations in accordance with Policy OC4, visitor accommodation or office use or provide facilities for outdoor formal recreation or informal leisure and recreation uses;

The proposal would result in the establishment of a residential use.

c. the existing building is of sound and substantial construction and is capable of conversion without extensive alteration or rebuilding;

The submitted information indicates that the building is wind and watertight, of sound and substantial construction and capable of continued use.

In terms of the extent of alterations required to support the proposed conversion, no significant structural works are proposed, the existing windows and lintel to the south elevation are to be replaced and one new opening is proposed to the east elevation. The installation of insulation to the floor, roof and walls are considered to be neutral in terms of their impact on the objectives of Policy GP16(A).

With regard to the internal fittings, the creation of new room arrangements and the provision of new services, these works are representative of the types of alterations that are generally required for the conversion of buildings into alternative uses and are therefore considered to be neutral for the purpose of Policy GP16(A).

Overall, it is considered that the works required and proposed to convert the building do not cumulatively amount to extensive alteration of the building and the proposal would accord with criterion (c) of Policy GP16(A).

d. the proposals would have no adverse impacts on the special interest of a protected building and that such interest is appropriately and proportionately preserved and, where possible, enhanced;

The Authority has a duty under Section 34 of the Land Planning and Development (Guernsey) Law, 2005, to secure so far as possible that the special interest of a protected building is preserved, and with respect to a protected building or any other building or land in the vicinity of a protected building, to pay special attention to the desirability of preserving the protected building's special characteristics and setting. With regards to the setting of protected buildings, this duty is also encapsulated in Policies GP5 and GP8.

The site is situated within the curtilage of a protected building (Hougue Bacheley which includes both the main dwelling and 'cottage') and within the vicinity of a protected building to the southwest of the site. Taking into account that the proposal involves a change of use of an existing building and the limited scale of the alterations proposed, the scheme would not harm the setting of any nearby protected building or have an unacceptable impact on the conservation area. The proposal accords with this criterion and Policies GP4, GP5 and GP8 in respect of its impact on the setting of protected buildings.

e. the proposals would have no unacceptable impacts on the contribution a building of character makes to the character and appearance of the area;

The existing building is not of particular character, has a utilitarian appearance, and therefore this criterion does not apply.

Policy GP8 (Design) requires a development to achieve a good standard of design which makes an efficient and effective use of land and respects the character of the local built

environment, whilst providing soft and hard landscaping where this reinforces local character and mitigates the impacts of the development. In this case, the proposed works comprise the reuse of an existing building and would not alter the scale, bulk, form or materials of the existing building, and would not significantly alter the overall appearance.

f. the conversion and any ancillary development associated with it can be implemented without having any unacceptable adverse impacts on the character and openness of the landscape;

Any impact on the character of the area resulting from the change of use in itself would therefore be negligible, particularly as the land surrounding the building is already considered to be domestic garden and there is an existing vehicular access to the site.

Policies GP1 (Landscape character and open land) and GP15 (Creation and extension of curtilage) therefore do not apply. Requirements under the Strategy for Nature are also not required as the proposed garden area is already lawfully considered as garden area.

g. the conversion would not require more than modest extension to the existing building for it to be achieved;

Paragraph 19.17.8. of the IDP (preamble to Policy GP16) states:

Proposals to convert an existing building may be accompanied by a modest extension provided that the extension is not of such scale that it forms a significant part of the new unit, in effect creating a new building contrary to this policy.

Similarly, this is also stated in paragraph 16.1.7 in the preamble to Policy OC1 and so the overarching policy direction is to enable reuse of existing buildings which would otherwise remain redundant, for an appropriate use (i.e. one for which the existing built form and location are suited) and whilst modest extension can be allowed as part of a proposal, the policy does not to allow such extensions to enable the use of a building where it would not otherwise be possible or for which it would not be suited, or capable.

Following this, Policy GP16 states that the existing building must be capable of conversion without extensive alteration or rebuilding, and consequently that the building must be of a size, without extension, to serve the intended use as it stands. This means that for residential purposes the existing building must be of a size and form that can provide an adequate living environment without the need for a significant extension

Paragraph 16.1.6 of the IDP states:

The relevant requirements of the Building (Guernsey) Regulations, 2012 and the practical guidance on those requirements in the associated Guernsey Technical Standards will be taken into account in determining whether a proposed unit offers an adequate standard of accommodation.

This means that the building, prior to any extension, would need to be at least 30sqm measured internally, as set out in Table 2 of Part G of the Building (Guernsey) Regulations, 2012. The existing building has an approximate floor area of 24sqm which means that the floor area is less than 30sqm which is the minimum requirements for the creation of a one-person dwelling. The extensions proposed provide an entrance porch, WC and storage cupboard, and even with these additions, the proposed dwelling has a total floor area of 28.85sqm which is still below the 30sqm minimum floor area.

The approach that the building must be capable of meeting the current Building Regulations without extension has been applied by the Authority since the introduction of the IDP and Policy GP16 in 2016.

h. the proposal would have no unacceptable adverse impacts on the amenities and enjoyment of neighbouring properties and the surrounding area.

The proposed dwelling and associated garden would be bounded by residential properties on all sides. The main residential garden of the cottage lies to the east of the proposed dwelling with an additional larger area of garden to the south which serves the main dwelling. The proposed new fence boundary is set 1.6m from the proposed dwelling at the closest point, although there are no details of the height of this fence, subject to an acceptable height (around 1.8m) this is considered adequate to ensure that the neighbouring amenity is not compromised by the change of use.

The change of use of the outbuilding will have some impact on the neighbour to the north however, the proposed dwelling faces south, with car parking to the west, and is single storey meaning that only limited disturbance may be possible.

Other matters:

Impact on Protected Building and Conservation Area

The impact of the conversion of the building has been assessed in relation to Policy GP16d above, and there is considered to be no harm to the special interest of the protected building Hougue Bacheley, the surrounding protected buildings or the conservation area. The proposal therefore accords with Policies GP4 and GP5.

Residential amenity and parking provision

The converted building would not provide a good level of residential accommodation due to the limited size of the unit which fails to meet the Guernsey Technical Space Standards and would not meet the UK DCLG standards which are best practice. The outdoor space is good and overall, the studio layout allows good ventilation and a dual outlook for the bedroom/lounge area.

The proposed parking provision is appropriate for the size and type of dwelling proposed, in accordance with the requirements of Policy IP7. The Parking Standards and Traffic Impact Assessment SPG seeks provision of “secure covered cycle spaces” which has been provided.

Sustainability, accessibility and adaptability

In terms of accessibility to and within the building and the provision of flexible accommodation, the submitted information details level access and the accommodation is provided over a single level.

Confirmation has also been received that the proposed development has been designed to take into account matters of energy efficiency in accordance with Policy GP9. The submitted plans show use of permeable hard surfacing in the area closest to the building and the inclusion of electric charging point.

Conclusion

The scheme does not comply with Policies OC1 or GP16 of the Island Development Plan and is recommended for refusal due to the building being too small and therefore unsuitable for conversion to a dwelling.

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, monuments or other sites. The additional considerations relevant to protected buildings have been considered in section 2 above.

Date: 09/03/2026