

**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:** Demolish outbuilding, erect 1.5 storey outbuilding/ancillary living unit to south boundary.

**LOCATION:** Dominica, Le Houmet, Vale.

**APPLICANT:** Mr & Mrs G J Gillespie

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:** 10/02/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/12/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** G.E Le Friec - J.G./01, 02

**Application Ref:** FULL/2025/1911

**Property Ref:** C02601A000

**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.The window in the south facing elevation serving the proposed living room shall be fixed (i.e. non opening) and glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

5. If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

Reason - To ensure that appropriate measures are taken place should contaminated land be encountered during the construction phase of development, in the interests of public health.

**Expiry Date: This permission will cease to have effect on 09/02/2029 unless development is commenced by that date.**

**ADVICE AND OTHER REMARKS:-**

For the avoidance of doubt, this decision permits the erection of an ancillary living unit to be used as an integral part of and incidental to the principal dwelling presently known as Dominica. 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.

**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](http://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](mailto: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/2025/1911  
**Property Ref:** C02601A000  
**Valid date:** 08/12/2025  
**Location:** Dominica Le Houmet Vale Guernsey GY6 8JH  
**Proposal:** Demolish outbuilding, erect 1.5 storey outbuilding/ancillary living unit to south boundary.  
  
**Applicant:** Mr & Mrs G J Gillespie

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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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. The window in the south facing elevation serving the proposed living room shall be fixed (i.e. non opening) and glazed with obscure glass to a minimum of Level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

5. If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.

Reason - To ensure that appropriate measures are taken place should contaminated land be encountered during the construction phase of development, in the interests of public health.

## **INFORMATIVES**

For the avoidance of doubt, this decision permits the erection of an ancillary living unit to be used as an integral part of and incidental to the principal dwelling presently known as Dominica. 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.

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## **OFFICER'S REPORT**

### **Brief Description of the site:**

The application site consists of a detached bungalow located to the east of Rue De Houmet. The property is located Outside of the Centres as designated in the Island Development Plan.

Planning permission is sought to demolish an outbuilding and erect a 1.5 storey outbuilding/ancillary living unit, located adjacent to the south boundary.

The ancillary living unit will be approximately 53sqm, within a short distance of the main house, and will consist of a kitchenette and living room, lobby, WC on the ground floor and an ensuite bedroom at first floor level. The ancillary living unit appears to feature a slate finished pitched roof, and rendered walls, with a flat roof dormer at first floor level on the north elevation, and a ground floor window on the south elevation.

The agent has set out in their application that the ancillary living unit will be used by a family member, will have shared facilities with the main house and utilities with the host dwelling, including car parking, garden, and is accessible via the main house.

The application was deferred as concerns were raised in respect of the proposed window on the south elevation and the potential impact on the amenities of neighbouring residents to the south. In response, the agent has agreed to incorporate an obscure glazed window in attempt to respect the amenities of neighbouring residents.

**Relevant History:**

None.

**Existing Use(s):**

Residential.

**Assessment:** *(Tick as appropriate)*

no representation  
accords with policy  
within curtilage  
design acceptable

|                                     |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |

visual amenity acceptable  
no material neighbour impact  
traffic not affected

|                                     |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |

**Policies considered most relevant:**

GP8 Design  
GP9 Sustainable development  
GP13 Householder Development

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

**Consultation - The Office of Environmental Health and Pollution Regulation:**

*"I have reviewed the proposed plans to "demolish an outbuilding, erect a 1.5 storey outbuilding/ancillary living unit to the south boundary" for Dominica which were received by email on 12<sup>th</sup> December 2025 and there are a number of issues of concern that I must raise. I have integrated the historic records and maps and while it appears that no greenhouses have directly been positioned on the land parcel, greenhouses have surrounded it. As such, the applicant should be aware that contamination, such as lead, may have migrated into their land parcel. I recommend that Planning Authority apply a discovery strategy to any permission granted.*

### **Discovery Strategy**

- *If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until the developer has submitted a method statement to the Authority to identify, risk assess, and address the unidentified contamination, and has obtained written agreement from the Authority for the works to proceed. Any subsequent development must be carried out in accordance with the conclusions and recommendations of the approved report.”*

### **Conclusion/Brief comment:**

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Policy GP13 also states that proposals for dower units will be supported provided the additional accommodation is demonstrably ancillary and well-related to the existing dwelling and there are no significant adverse effects on the amenities of neighbouring properties. Paragraph 19.14.14 of Policy GP13 states 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.”

### **Use:**

Whilst the proposed ancillary living unit will be detached from the main house, the proposal is considered to have a subordinate relationship and association to the main dwelling due to the limited facilities afforded to the occupiers of the ancillary living unit.

Moreover, the arrangement of fenestration and close proximity between the proposed ancillary living unit and the host dwelling, together with the assurances about shared facilities/utilities, garden, parking and access, is sufficient to demonstrate that the proposed ancillary living unit is compliant with Policy GP13. An informative to this effect should be attached to the decision reiterating that the accommodation may only be used for purposes incidental to the main dwelling.

### Design, character and amenity:

The proposed ancillary unit adopts an acceptable standard of design in terms of its scale, form, mass, siting and materials that relates well to the existing house and surrounding built environment for the purposes of Policy GP8. The proposed ancillary living unit will be in a similar position to the existing shed.

Due to its position, located to the rear of the host dwelling, the proposal will not be highly visible, from public vantage points, including Rue De Houmet.

### Neighbour amenity:

Careful consideration has been given to the effect of the development on the amenities of neighbouring residents.

#### *North:*

To the north, the proposed dormer window will be centrally positioned on the ancillary living unit, and therefore is set-in from the east boundary. The distance from the ancillary living unit and the neighbouring residents to the north is approximately 17m. Whilst the proposal will result in overlooking effect, the degree of harm would not be unacceptable.

#### *East:*

The views towards the neighbouring property will be restricted to oblique angles.

Furthermore, the land to the east of the ancillary living unit currently houses a dilapidated glasshouse and features overgrown vegetation. It is recognised that this glasshouse once formed part of a horticultural use of the adjacent property and it would appear that no change of use has been granted to convert the land to domestic curtilage. Consequently, the northern elevation of the glasshouse appears to demarcate the southern edge of domestic curtilage associated with Keban.

The ancillary living unit would be approximately 15m from the private amenity space to the rear (south) of Keban. Consequently, the distance and oblique angle of overlooking from the dormer window towards the amenity space of the neighbouring property would not result in unacceptable harm.

On a separate note, the drawings submitted are ambiguous as the southern section of the east boundary is not clearly stipulated with regards to the 'remodelling' of the boundary wall, although such works is likely to constitute exempt development and would not have a material effect on neighbour amenity.

*South:*

As set out above, concerns were raised over the close proximity and relationship of the south facing window of the ancillary living unit. The agent has confirmed in the e-mail dated 30<sup>th</sup> January 2026 that the wall along the south boundary is approximately 1350mm high. In light of the existing boundary treatment and the finished floor level of the proposed ancillary unit, the agent has agreed to obscure glaze south facing window at ground floor level. A condition to this effect should be attached to the decision due to close proximity between the window and the neighbouring property's garden to the south.

*West:*

The proposal will not adversely affect the amenities of neighbouring residents to the west (Kathray).

Overall the proposal is unlikely to cause undue harm to the amenities of neighbouring residents, with regards to factors such as overlooking, overshadowing or overbearingness.

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

Conclusion:

Based on the above, the application is considered compliant with the relevant Island Development Plan policies; it is therefore recommended that planning permission be granted, subject to conditions.

**Recommendation:**

Grant with Conditions



**Date:** 10/02/26

