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 outbuildings to create dwelling to south boundary, erect single storey outbuilding/garage and associated works.

LOCATION: Les Pages House, Les Pages, St. Martin.

APPLICANT: Mr & Mrs N Guilbert

I refer to the application referred to below received as valid on 12/03/2026 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 16/04/2026

Drawing Nos: Direct Architectural Solutions Limited - 1437-SK-10 A, 11, 12, 13

Application Ref: FULL/2026/0316

Property Ref: J009500000

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. Policy OC1 supports new dwellings Outside of the Centres, but only where this is achieved through the subdivision of an existing dwelling or the conversion of an existing redundant building. The proposal is not for the subdivision of the existing dwelling, but for the subdivision of the plot to allow for the existing outbuildings to the southern boundary to be extended and converted into a separate dwelling. The proposal therefore fails to accord with Policy OC1 of the Island Development Plan as the dwelling is not proposed to be created through the subdivision of an existing dwelling, and the application has not stated that the outbuildings are redundant and there is no evidence to suggest this is the case.

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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2026/0316
Property Ref:	J009500000
Valid date:	12/03/2026
Location:	Les Pages House Les Pages St. Martin Guernsey
Proposal:	Convert, extend and alter outbuildings to create dwelling to south boundary, erect single storey outbuilding/garage and associated works.
Applicant:	Mr & Mrs N Guilbert

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. Policy OC1 supports new dwellings Outside of the Centres, but only where this is achieved through the subdivision of an existing dwelling or the conversion of an existing redundant building. The proposal is not for the subdivision of the existing dwelling, but for the subdivision of the plot to allow for the existing outbuildings to the southern boundary to be extended and converted into a separate dwelling. The proposal therefore fails to accord with Policy OC1 of the Island Development Plan as the dwelling is not proposed to be created through the subdivision of an existing dwelling, and the application has not stated that the outbuildings are redundant and there is no evidence to suggest this is the case.

OFFICER'S REPORT

Site Description:

The site is located to the west of Les Pages and currently comprises of a main dwelling with separate garage outbuilding with offices at first floor level, and existing stables, both situated to the south of the dwelling. The site backs onto agricultural land.

The site is located Outside of the Centres as designated in the Island Development Plan (IDP) and the dwelling is a pre-1900 building. There is a protected monument to the south of the site.

Relevant History:

FULL/2025/0425- Erect 1.5 storey outbuilding/garage (for a mixed domestic and agricultural use) and install hardstanding to east of the site. Approved 03/06/2025.

Existing Use(s):

01 Dwelling houses

Brief Description of Development:

The application proposes the erection of an extension to link two existing outbuildings, and the alteration and conversion of these to form a new separate dwelling. A new single storey outbuilding to serve as a garage for the new dwelling is also proposed, along with the creation of a separate garden area and proposed subdivision of land to form a separate curtilage for the new dwelling.

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

GP6 - Protected Monument
GP8 - Design
GP9 – Sustainable Development
OC1 - Housing Outside of the Centres

Representations:

No representations have been received.

Consultations:

None.

Summary of Issues:

The main issue in determination of this application concerns the principle of development and the creation of a new unit of accommodation Outside of the Centres.

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).

Policy OC1 supports new dwellings Outside of the Centres, but only where this is achieved through the subdivision of an existing dwelling or the conversion of an existing redundant building. The proposal is not for the subdivision of the existing dwelling, but for the subdivision of the plot to allow for the existing outbuildings to the southern boundary to be extended and converted into a separate dwelling.

The two existing outbuildings comprise of a former stable building which appears to be in use for domestic storage, and a larger double garage which is understood to have a home office at first floor. The application does not identify these southern outbuildings as being redundant, and a recent application for additional outbuildings has been approved (FULL/2025/0425) to the north boundary to provide additional

storage/ancillary facilities for a dwelling of this size, along with an additional access to serve these outbuildings. The submission for the FULL/2025/0425 application stated that the new outbuildings were required as the general level of garaging presently provided on site was not sufficient to accommodate the family's requirements.

The proposal therefore fails to accord with Policy OC1 of the IDP as the dwelling is not proposed to be created through the subdivision of an existing dwelling, and the application has not stated that the outbuildings are redundant and there is no evidence to suggest so.

In *The Island Development Committee v Portholme [2002]*, the Court of Appeal held that *"… if a plan allows for development only in certain identified circumstances, by necessary inference, development out with those circumstances is not to be allowed."*

Section 12(1) of The Land Planning and Development (General Provisions) Ordinance, 2007, is also clear that where the Authority has regard to any relevant Plan in determining an application for planning permission for development which would involve a departure from such a Plan then it must refuse the application (unless the applicant has requested that the application be considered as a minor departure), and it need not take into account any other matter to which it is required to have regard under the Law.

As the principle of the proposal is unacceptable due to the failure to meet Policy OC1 of the IDP, and in accordance with the *Portholme* appeal decision, further consideration has not been given to details of the application (e.g. design, amenity).

The protected monument is located to the south of the application site and within the neighbouring site, and as such, there is no impact on it or its setting. The proposal has no impact on protected trees, monuments or buildings and is not located in or near an SSS.

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 considered in the assessment of this application.

Based on the above, it is recommended that the application is refused.

Date: 15/04/2026