

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: Subdivide, convert, extend and alter dwelling and outbuildings to create 6 residential units, alterations to boundary wall and pillars to south roadside boundary, create vehicular access to agricultural land, change of use of agricultural land to domestic garden and associated works (revised).

LOCATION: Courtil A Paix, Rue Des Annevilles, St. Sampson.

APPLICANT: Mr I Price

I refer to the application referred to below received as valid on 10/03/2026 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 13/10/2026

Drawing Nos: Arctech - PD-25-2234-07C, 08D, 09A, 10B, 11B & PD-25-2247-12E.

Application Ref: FULL/2026/0330

Property Ref: B014890000

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. By virtue of the proposed subdivision to form units 1 to 3, which includes dwellings located partly above one another, the layout of the site, the proximity to and relationship between units, in particular the positioning of 1st floor windows in units 4, 5 and 6, the proposal gives the impression of being a contrived design resulting in dwellings with an unsatisfactory living environment, contrary to Policies OC1 and GP8.
2. Due to the large expanse of hard surfacing and its prominence from public views, the car park would have an adverse effect on the character and visual amenity of the area, contrary to Policies OC1, GP16(A) and GP8.

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/2026/0330
Property Ref: B014890000
Valid date: 10/03/2026
Location: Courtil A Paix Rue Des Annevilles St. Sampson Guernsey GY2 4XQ
Proposal: Subdivide, convert, extend and alter dwelling and outbuildings to create 6 residential units, alterations to boundary wall and pillars to south roadside boundary, create vehicular access to agricultural land, change of use of agricultural land to domestic garden and associated works (revised).
Applicant: Mr I Price

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. By virtue of the proposed subdivision to form units 1 to 3, which includes dwellings located partly above one another, the layout of the site, the proximity to and relationship between units, in particular the positioning of 1st floor windows in units 4, 5 and 6, the proposal gives the impression of being a contrived design resulting in dwellings with an unsatisfactory living environment, contrary to Policies OC1 and GP8.
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OFFICER'S REPORT

Site Description:

The site comprises of a traditional group of buildings with a 2 storey pitched roof dwelling fronting onto Rue Des Annevilles, a two storey pitched roof outbuilding/barn and a single storey outbuilding/barn to the rear of the dwelling. To the east and north is a large area of agricultural land which is also under the same ownership.

The site is located Outside of the Centres and is in an area of archaeological interest. There is a protected building and a protected monument on the neighbouring land to the north-west.

Relevant History:

06/01/2026 – PREA/2025/1975 - Pre-application regarding subdivide and convert dwelling and outbuildings into 6 units.

Existing Use(s):

Residential use class 1: dwelling house
Agriculture use class 28

Brief Description of Development:

Planning permission is requested to subdivide, extend and alter dwelling to create 3 dwellings and to convert, extend and alter 2 outbuildings to create an additional 3 dwellings. The proposal would result in the creation of 3x one bedroom units, 1x two bedroom unit and 2x four bedroom units. The extensions and alterations to the buildings include 5 dormer windows to the front of the existing dwelling, a single storey extension and 2 dormer windows to the rear elevation of the existing dwelling; a single storey extension to the rear of the large outbuilding forming unit 4; a dormer window, single storey extension and the replacement of the roof of the small outbuilding forming unit 6; and various alterations to fenestration.

Permission is also sought to change the use of a parcel of agricultural land measuring 300sqm to create domestic land associated with unit 6 and an area of communal car parking, change the use of an area of domestic land measuring 780sqm to agricultural land, alterations to the existing vehicular access including reducing the height of a section of wall and pillars, and create a new vehicular access to serve the agricultural land.

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

Policy OC1: Housing Outside of the Centres
Policy OC5(B): Agriculture Outside of the Centres – outside the Agriculture Priority Areas
Policy GP1: Landscape Character and Open Land
Policy GP6: Protected Monuments
Policy GP8: Design
Policy GP9: Sustainable Development
Policy GP15: Creation and Extension of Curtilage
Policy GP16(A): Conversion of Redundant Buildings
Policy GP17: Public Safety and Hazardous Development
Policy IP6: Transport Infrastructure and Support Facilities
Policy IP7: Private and Communal Car Parking
Policy IP9: Highway Safety, Accessibility and Capacity

Representations:

Ten representations were received in response to the original application, main points as follows:

- Impact on the amenities of neighbouring residents including loss of privacy, noise and disturbance, light pollution and shading from planting.

- Concerns raised about light pollution and impact on wildlife.
- Impact on the character of the area, including through the change of use of agricultural land and the creation of parking and the use of high timber fencing.
- Increase in traffic and impact on road safety.
- The proposed density is inappropriate; it amounts to an overdevelopment of the site; it is out of character with the area, particularly the large detached houses to the north of the highway; and the interrelationship between dwellings within and adjacent to the site would be incongruous.
- Loss of green space and impact on biodiversity.
- The existing dwelling is not too large for a single household.
- It has not been demonstrated that the barns are no longer required.
- Parking provision inadequate for 6 dwellings resulting in cars parked in the road to the detriment of traffic flows and road safety.
- Alterations to farmhouse and proliferation of fenestration adversely effects the character of the building.
- Units 4 and 6 cannot be converted without extensions.
- Application contains numerous contradictions, lacks clarity and consistency making it difficult to make an informed view e.g. biodiversity/planting details, number of parking spaces, use of land.
- Reference to communal garden to east suggests a change of use of larger area of agricultural land.
- Proposed development would have an unacceptable negative impact on the setting the adjacent protected building (Anneville Manor).
- Further redevelopment under Policies OC1 and GP16(B) would cause even more harm to the amenities and enjoyment of the surrounding area.
- The small barn is not structurally sound and capable of conversion without substantial and extensive works.
- Loss of agricultural land.
- The site notice has not been displayed correctly.

Seven representations were received in response to the revised application, main points as follows:

- Increase in traffic and impact on road safety, including in relation to the creation and location of the new agricultural access and proximity to and alignment with neighbouring accesses.
- Parking provision is inadequate for 6 dwellings resulting in cars parked in the road to the detriment of traffic flows and road safety.
- Development may set a precedent for building on former greenhouse site on opposite side of the highway.
- The proposed density is inappropriate; it amounts to an overdevelopment of the site; it is out of character with the area; and result in a cramped interrelation between the proposed dwellings.
- Impact on the amenities of neighbouring residents including loss of privacy, noise and disturbance and light pollution.
- Questions whether change of use of land would fragment landscape, reduce openness or introduce an unduly suburban appearance. If approved exemption rights should be withheld.

- It has not been demonstrated that the barns are no longer required or capable of agricultural use.
- Supporting statement has not been updated to reflect amended scheme.
- The site notice has not been prominently displayed.
- The existing dwelling is not too large for a single household.
- Impact on the character of the area, including through the change of use of agricultural land and the loss of a section of roadside wall.
- Use of opaque glazing is an acknowledgement of the overlooking concerns and the poor design of the development.
- The amended Biodiversity Statement was drafted before and does not align with the amended plans.
- Loss of open and undeveloped land.
- Submitted plans are inconsistent e.g. fencing shown on ground floor plans but not on block plan.
- The revised structural report does not demonstrate that the small barn is structurally sound and capable of conversion without substantial and extensive works.

Consultations:

None

Summary of Issues:

The main issues in deciding this application are:

1. The principle of residential subdivision and conversion.
2. Whether the existing outbuildings are of sound and substantial construction and are capable of conversion without extensive alteration or rebuilding.
3. The impact of the development on the character, amenity and openness of the area.
4. Whether the development would result in a satisfactory living environment for the occupiers of the new dwellings.
5. The impact on the amenities of neighbouring residents.
6. Impact on road safety and traffic management.
7. Whether the proposal would result in biodiversity enhancements.

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).**

During the course of consideration the application was deferred due to concerns about the living environment of the proposed dwellings, the visual impact of the parking area, the access to agricultural land, the limited parking provision and further information was requested regarding the redundancy and structural soundness of the outbuildings.

Additional information and revised plans were subsequently received which sought to address the concerns raised.

Policy OC1 provides scope for the subdivision of a dwelling into 2 or more self-contained units where the resultant development would be compatible with the character and amenities of surrounding area, the development would provide a satisfactory living environment, and the subdivision would not involve more than a modest extension.

Policy OC1 provides scope for the conversion of existing redundant buildings to dwellings Outside of the Centres provided that specific criteria as set out in Policy GP16(A) are met.

The former glasshouses to the east of the site have been cleared and the agent advises that the buildings have not been used for agricultural purposes for over 40 years. The size, design and nature of the buildings, including the size and positioning of apertures, gives the impression that the buildings would be of limited use for modern agricultural purposes. In addition, the site is not located within an Agriculture Priority Area and Policy OC5(B) supports the loss of existing agricultural buildings where the new use accords with other relevant policies. On balance, the information submitted is sufficient to demonstrate that the buildings are redundant, in accordance with part (a) of Policy GP16(A).

The application is supported by a structural report which concludes that both outbuildings are of substantial granite construction; that there is no evidence of inherent structural inadequacy that would preclude conversion; and that required remedial and upgrading works do not constitute extensive alteration or rebuilding.

Together with the relatively minor extent of works proposed, including alterations to fenestration, the installation of dormer windows and extensions for 4 of the units of a modest size for the purposes of Policies OC1 and GP16(A), the information submitted is sufficient to demonstrate that the existing buildings are of sound and substantial construction and are capable of conversion without extensive alteration or rebuilding.

The overall size of the proposed dwellings is smaller than the majority of nearby properties and some of the units would include limited outdoor space. The existing traditional buildings make a positive contribution to the character of the area. The proposed alterations to the buildings themselves are largely sympathetic to the traditional design of the buildings and would have a limited impact on the character of the area. The revised proposal has confined the domestic land to a more proportionate area around the dwellings whilst retaining the open/undeveloped land to the east. However, concerns remain about the visual impact of the car park due to the large expanse of hard surfacing and its prominence from public views and which is exacerbated by the location and visibility of the bin store along the highway. The large visually prominent car park would have an adverse effect on the character and visual amenity of the area. The creation of an additional vehicle access to serve the agricultural land would have no adverse effects.

Due to the distance to and relationship with neighbouring properties, the proposal would have no significant impacts on the setting of nearby protected buildings and monuments.

All of the dwellings would meet minimum internal space standards as set out under the Building Regulations, although units 5 and 6 are of limited size and would only meet best practice minimum internal space standards for a one bedroom property for 1 person. The dwellings are all dual aspect and have potential to receive adequate daylight and sunlight. All of the dwellings include outdoor space although some are of limited size and quality. However, the proposed subdivision to form units 1 to 3, which includes dwellings located partly above one another, creates significant issues for the amenity of the dwellings due to the resultant overlooking from upper floor windows over the outdoor space of other units. In addition, the layout of the site, the proximity to and relationship between units, in particular the positioning of 1st floor windows in units 4, 5 and 6, results in overlooking of other units. Although obscured glazing is proposed in an attempt to address these concerns, it has not fully resolved the issues raised, for example the height of the obscured sections of the glazing within units 1 and 2 would not be sufficient to overcome these issues, obscured glazing would be ineffective when windows are open, and the retention of the door to the south elevation of unit 5 would continue to affect the privacy of unit 3. In addition, the widespread use of obscured glazing would in itself reduce the quality of the living environment of the dwellings by reducing the outlook from habitable rooms. As a whole, the proposal gives the impression of being a contrived design resulting in dwellings with an unsatisfactory living environment, contrary to Policies OC1 and GP8.

By virtue of the positioning of fenestration and the distance to neighbouring properties, the proposed dwellings are unlikely to have any significant adverse effects on the amenities of neighbouring residents.

The proposed layout would enable vehicles to turn around on site and the vehicle access has the potential to achieve adequate sightlines, although this would be dependent on ensuring that the height of the piers, planting and bin storage does not cause an obstruction. The provision of 8 parking spaces for 6 units is limited considering 2 of the dwellings have 4 bedrooms, the Outside of Centres location of the site, its distance from Local or Main Centres and the limited public transport provision in the area. However, there are no minimum parking standards and as set out in the Traffic Engineering Guidelines for Guernsey, the highway is classified as a Neighbourhood and Country Road where the functional emphasis is primarily one of access to individual properties and provision for vulnerable road users. Due to the low traffic flows along Neighbourhood and Country Roads, the control of frontage activities is not important and a greatly relaxed regime of traffic management is permissible. As a result, the moderate increase in the intensity of use of the access and the creation of an additional vehicle access to serve the agricultural land is unlikely to result in any significant road safety or traffic management concerns. There is potential that the limited parking provision could at times lead to vehicles parking along the highway, as already occurs outside neighbouring properties. Due to the nature of the highway, limited and temporary parking along the highway is unlikely to result in any significant road safety or traffic management concerns, although a sustained and/or continuous level of on-street

parking would have an adverse effect on the character and amenity of the area. Cycle parking is provided for each unit.

The proposal to change the use of a section of the land to a domestic use to serve the proposed dwellings also falls to be considered under Policies OC5(B), GP15 and GP1 of the Island Development Plan.

The site is not within an Agriculture Priority Area or an Area of Biodiversity Importance, no existing boundaries are proposed to be removed and the use of the land for domestic purposes is unlikely to have any significant adverse effects on neighbouring residents. As set out above, the revised proposal has confined the domestic land to a more proportionate area around the dwellings whilst retaining the open/undeveloped land to the east. In addition, an existing parcel of land to the north-west of the pigsties would be changed from domestic to agricultural use which would result in a net gain of agricultural land. The proposal would result in a clear separation between domestic and agricultural uses and is unlikely to have any significant adverse impacts on the character and openness of the landscape. Consequently the change of use of the land to a domestic use accords with Policies OC5(B), GP15 and GP1.

The application is accompanied by a Landscaping Plan (Appendix I) and a Biodiversity Statement. The measures proposed including the planting of boundary hedging and trees has the potential to provide proportionate biodiversity enhancements, taking into account the size of the area of land involved. However, the information submitted is inconsistent and it is unclear which plan would be implemented and further clarity would be required.

With regards to comments in representations, the Planning Service has been notified that the site notice was displayed correctly.

In summary, the principle of the subdivision of the existing dwelling and the conversion of the outbuildings into dwellings is supported. However, the proposal gives the impression of being an overdevelopment of the site and comprises of a contrived design resulting in dwellings with an unsatisfactory living environment and a large visually prominent car park which would have an adverse effect on the character and visual amenity of the area. The proposal does not achieve a good standard of design and does not accord with Policies OC1, GP16(A) and GP8.

Date: 13/10/2026