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: Erect dormer window to south-east (rear) elevation, install rooflight to north-west (front) elevation and alterations to fenestration to create an ancillary living accommodation unit (Revised scheme).

LOCATION: Epcot Villa, Rue De La Ronde Cheminee, Castel.

APPLICANT: Mrs E Mauger

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: 28/04/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/03/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Arctech: EM-25-2251-02C

Application Ref: FULL/2026/0501

Property Ref: D01869E001

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 approved dormer window on the south elevation, serving a bedroom, shall be fixed shut (i.e. non opening), and the cill height of the window shall be installed at no less than 1.7m above finished floor level. The window shall thereafter be retained as such at all times.

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

5.The habitable accommodation hereby permitted shall remain an integral part of and ancillary to the principal dwelling presently known as Epcot Villa and shall not at any time be severed from that dwelling to provide a self contained unit of accommodation separate from the principal dwelling.

Reason - To prevent the establishment of a separate dwelling or other independent accommodation which will require a separate planning application and different policy considerations.

Expiry Date: This permission will cease to have effect on 27/04/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

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

States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2026/0501
Property Ref:	D01869E001
Valid date:	10/03/2026
Location:	Epcot Villa Rue De La Ronde Cheminee Castel Guernsey GY5 7GE
Proposal:	Erect dormer window to south-east (rear) elevation, install rooflight to north-west (front) elevation and alterations to fenestration to create an ancillary living accommodation unit (Revised scheme).
Applicant:	Mrs E Mauger

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. The approved dormer window on the south elevation, serving a bedroom, shall be fixed shut (i.e. non opening), and the cill height of the window shall be installed at no less than 1.7m above finished floor level. The window shall thereafter be retained as such at all times.

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

5. The habitable accommodation hereby permitted shall remain an integral part of and ancillary to the principal dwelling presently known as Epcot Villa and shall not at any time be severed from that dwelling to provide a self contained unit of accommodation separate from the principal dwelling.

Reason - To prevent the establishment of a separate dwelling or other independent accommodation which will require a separate planning application and different policy considerations.

OFFICER'S REPORT

<u>Site Description</u>:

The application site comprises a semi-detached dwelling located south of Rue De La Ronde Cheminee. The site is located Outside of the Centres as defined in the Island Development Plan.

The configuration of the two properties has one house sited immediately behind the other. Both properties are served by a garage, which is located towards the rear of the site. The double garage is split vertically with one half of the garage owned by Epcot Villa and the other by Kokopelli. Towards the rear of the double garage lies a garden associated with Kokopelli. The garden of Kokopelli extends the full width of the double garage.

The main external amenity space of Kokopelli is detached from the house and is accessed over the shared driveway and through the garage associated with Kokopelli.

Planning permission was refused in 2025 to install a dormer window to the south-east (rear) elevation, install a roof light to the north-west (front) elevation and make alterations to the fenestration to create a unit of ancillary living accommodation (FULL/2025/1527).

The reason for refusal was based on the following point:

> *1. The installation of the proposed dormer window located on the boundary with the neighbouring property does not achieve a good standard of design*

for the purposes of Policy GP8 or respect the amenities that neighbouring residents might reasonably expect to enjoy. If approved, the proposal would lead to an unacceptable loss of privacy and have a significant adverse effect on the amenities of the neighbouring residents to the south, contrary to Island Development Plan Policies GP8, GP9 and GP13.

Relevant History:

Reference No	Description	Decision	Date
FULL/2025/1527	Erect dormer window to south-east (rear) elevation, install roof light to north-west (front) elevation and alterations to fenestration to create a unit of ancillary living.	Refused	2025

Existing Use(s):

Residential

Brief Description of Development:

A revised scheme has been submitted which seeks planning permission to erect a dormer window to the south-east (rear) elevation, install a roof light to the north-west (front) and make alterations to the fenestration to create a unit of ancillary living accommodation.

The existing garage will serve as a utility and shower room on the ground floor and a bedroom at first floor level. The proposed bedroom includes a roof light to the front and a dormer window to the rear.

The revised scheme proposes to increase the cill height of the dormer window to 1.7m above finished floor level, incorporating obscure glass, and ensuring that it is fixed shut (non-opening), in attempt to overcome the reasons for refusal.

The application was deferred to seek further information over the proposed ancillary living unit in light of the guidance note regarding Ancillary/Associated Living Accommodation Units, together with some concerns over the installation of fencing in the back garden.

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

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:

- Whether the principle of an ancillary living unit is acceptable.
- Whether the proposal would have any detrimental impacts on the amenities afforded to the occupiers of neighbouring 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).

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

Neighbour amenity:

While the revised scheme may not appear to be substantially different to that refused under planning permission FULL/2025/1527, the amendments proposed including raising the cill height of the window to 1.7m would ensure that the dormer window would not result in overlooking of the neighbour's external amenity space. Furthermore, ensuring that the window is fixed shut would also prevent undue disturbance to the adjoining garden area. Whilst it is acknowledged that the agent has included obscure glazing on the proposed scheme to mitigate overlooking concerns, it is not considered necessary to condition this aspect of the development given that the height of the window would not give rise to overlooking concerns.

Overall, despite the close proximity and relationship of the dormer window to the neighbouring property, together with the proposed perception of overlooking, the proposal would not amount to unacceptable harm to justify refusal in terms of its design (particularly as the dormer window is not highly visible in public views), or its effect on the amenities of neighbouring residents. This revised scheme therefore complies with Policies GP8, GP9 and GP13.

Towards the front, the proposed rooflight on the northern aspect of the proposed ancillary unit would not amount to substantial harm to the amenities of

neighbouring residents to justify refusal when taking the distance (circa. 12m) to Kokopelli, coupled with the size of the rooflight.

Ancillary relationship to the main dwelling:

The principle to create an additional area of habitable accommodation is supported under Policy GP13. 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."

In this case the ancillary living unit will be created through the conversion of the garage and part of the main dwelling, and therefore the proposed unit will be physically attached to the host dwelling and internally linked.

Consequently, 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.

The agent has included additional information which takes into account the Ancillary/Associated Living Accommodation Units guidance note. The agent has also agreed to omit the fencing to the rear of the ancillary living unit to ensure that the garden is shared, and that the unit is for a close family member.

Overall, the close proximity and relationship between the proposed ancillary living unit and the main dwelling, together with the assurances by the agent in terms of shared facilities including, garden area, parking area, and utility supplies with the main house, is sufficient to demonstrate that the proposed dower unit is compliant with Policy GP13 and Advice Note 1 in this instance. However, given that the unit could be used independently from the main house via limited internal and external changes, it is considered reasonable and necessary to attach a planning condition to ensure that it remains ancillary to the host dwelling.

Policy GP8 supports development where it achieves a good standard of design and does not result in significant harm to the amenities of neighbouring residents. In this

case, the design of the proposed ancillary living unit would not adversely affect the character of the area or visual amenity and achieves an acceptable standard of design.

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

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.

Date: 27/04/26