

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: Erect single storey extension with balcony at 1st floor level to west (rear) elevation, erect 2 storey extension to south (side) elevation (part retrospective), install velux roof terrace with fixed window to east (front) elevation and alterations to fenestration.

LOCATION: L'Echelle Gate House, Rue Des Roquettes, St. Andrew.

APPLICANT: Mr & Mrs T Veron

I refer to the application referred to below received as valid on 03/06/2026 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 27/07/2026

Drawing Nos: PF+A Ltd - 7531-02 B1, B2A, B3A

Application Ref: FULL/2026/0801

Property Ref: K00284B001

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. There is not an existing residential building at the site and the proposal does not meet the terms of Policy GP13 (Householder Development).
2. The proposed extensions would not comprise a modest extension to the approved conversion scheme and would not meet the terms of Policy GP16(A)g (Conversion of Redundant Buildings).

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/2026/0801
Property Ref: K00284B001
Valid date: 03/06/2026
Location: L'Echelle Gate House Rue Des Roquettes St. Andrew Guernsey GY6 8SQ
Proposal: Erect single storey extension with balcony at 1st floor level to west (rear) elevation, erect 2 storey extension to south (side) elevation (part retrospective), install velux roof terrace with fixed window to east (front) elevation and alterations to fenestration.
Applicant: Mr & Mrs T Veron

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. There is not an existing residential building at the site and the proposal does not meet the terms of Policy GP13 (Householder Development).
 2. The proposed extensions would not comprise a modest extension to the approved conversion scheme and would not meet the terms of Policy GP16(A)g (Conversion of Redundant Buildings).
-

OFFICER'S REPORT

Site Description:

The application site, as outlined in red on the submitted plans, comprises the remains of a building set on 0.39 acres (1562sqm) of land. Permission was granted in 2024 for the conversion of the structure to a dwellinghouse and works are underway on site to implement that permission.

The site is set at the bottom of a valley, sloping from south-west down to the north-east with an open stream running along the north-east boundary, and is separated from adjacent fields to the north-east, south-east and south-west by robust treed boundaries. The site is bounded by Rue des Roquettes to the north-west, separating the site from residential properties along the north-west side of that road. A small parcel of land located between the road and the structure at the application site is owned in association with the property across the road to the north (Moulin De L'Echelle).

The site historically formed part of the property to the south, known as Les Galliennes Farm. The building group at that property is located to the south-east of the application

site, adjacent to Route des Talbots, and comprises a house and enclosed barn (currently undergoing works to convert to residential) dating from before 1787 and a 19th century open sided barn, which has been converted for residential purposes. The domestic curtilage recognised for the house and approved for the barn conversion is restricted to the building group, with limited extension approved to the south-east and south-west of the house.

The whole of the house and enclosed barn at Les Galliennes Farm, together with the roadside wall adjacent to those structures, is protected. The open sided barn, and the structure which forms the subject of this application, do not however form part of the listing. The buildings were first protected in 2018 and, as part of the assessment of the site for listing, it was observed that the structure which forms the subject of this application was likely to date at least partially from before 1787, however has been subject to alterations and was in such poor condition as to be termed a ruin. Notwithstanding any contribution to the historical understanding or setting of the wider protected building group, the structure was therefore determined not to meet the criteria for listing.

The site is located Outside of the Centres, within an Agriculture Priority Area, in the Island Development Plan.

Relevant History:

FULL/2023/0499 Renovation of former building including creation of first floor, addition of roof, reconstruction of lean-to and installation of fenestration. Refused 29/06/2023

FULL/2024/0652 Renovation and conversion of former building to create a dwellinghouse, change of use of agricultural land for domestic use (670sqm) and associated works. Approved 22/10/2024

FULL/2025/1840 Variations to previously approved plans for renovation and conversion of former building to create dwelling house, change of use of agricultural land to domestic garden use (670sqm) and associated works - Form catslide roof and install solar panels to west elevation. Approved 13/01/2026

Existing Use(s):

Development site.

Brief Description of Development:

Permission is sought under this application for extension to the previously approved dwelling, including a single storey flat roof extension to the south-west elevation incorporating an ensuite bedroom and roof terrace, and a two-storey pitched roof extension to the south-east gable, incorporating a further ensuite bedroom and utility at ground floor and a snug at first floor.

A cover letter has been provided in support of the application specifically requesting the application to be considered under Policy GP13 (Householder Development) and putting forward arguments to support this position.

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

OC1	Housing Outside of the Centres
GP8	Design
GP9	Sustainable Development
GP16(A)	Conversion of redundant buildings
IP6	Transport Infrastructure and Support Facilities
IP7	Private and communal car parking

Representations:

One letter of representation received raising the following points:

- This site is of high conservation value and forms part of an APA;
- Little effort has been made to protect flora and fauna at the site;
- Further extension could lead to a desire for further curtilage extension;
- Previous permission prohibits the creation of additional hardsurfacing, yet this permission requests retrospective permission for that, without justification.

Consultations:

None undertaken.

Summary of Issues:

Whether the residential use of the site is established;
The relevant policy gateway for consideration of the proposal;
Whether the proposed extension could be considered modest, and therefore acceptable under the relevant policy gateway.

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).**

This application seeks permission for extension of the previously approved dwelling at this site under Policy GP13 (Householder Development). Policy GP13 relates to householder development, which is defined in the prefacing text to that policy as *"alterations and extensions to existing residential buildings"*. For this policy to be applicable there must therefore be an existing residential building at the site.

Planning permission was granted 22/10/2024 for the conversion of the structure at this site to form a new dwellinghouse under Policy GP16(A) of the Island Development Plan (Conversion of Redundant Buildings). For that permission to be considered implemented to a stage at which a dwellinghouse, or residential building, has been established, the building must, as a minimum, be constructed to a wind and water tight state.

The Development and Planning Authority published a definition of wind and water tight in February 2026, which states: *“for a building to be wind and watertight it would need to include the completion of all external walls and roofs with their final external finish and the installation of all fully working windows and doors (including frames and glazing), in accordance with the approved scheme”*.

In this case, works have commenced on site to implement the permission however, at the time of the site visit, the following was found:

- To the west elevation, a new door aperture has been formed at ground floor level and it appears the upper section of wall has been rebuilt, with a block wall which appears to block off/alter the former openings and stone facing in areas, however this was not complete (this area was partially shrouded and therefore could not be fully seen). This work goes beyond that authorised.
- Alterations have been made to divide an east elevation aperture, without planning permission.
- Window apertures were open with no form of closure, permanent or temporary.
- The roof A-frame was in place, however no secondary timbers or any form of roof covering.
- The south lean-to walls have been reconstructed in block with a stone facing, and a door has been formed in the west wall, without planning permission. No additional walls, windows or roof had been installed to this part of the structure.

Given that the lean-to element of the building is approved for ancillary and not habitable use only, this element would not have to be constructed for the dwellinghouse to be considered established. It is however clear from the above that the main part of the building does not meet the definition of wind and water tight. Furthermore, the works have not been undertaken in accordance with the approved plans, and are not therefore authorised. The approved dwellinghouse cannot therefore be considered established at this time.

As the approved dwellinghouse is not yet established, Policy GP13 cannot apply in this case.

The only scope to consider the proposed extensions would therefore be as a variation to the approved conversion scheme, under the provisions of Policy GP16(A) (Conversion of Redundant Buildings). Part g) of that policy requires that a conversion would not require more than a modest extension to the existing building for it to be achieved. The extensions as proposed comprise a single storey structure extending the full length of the west elevation and a two storey extension projecting from the south gable, extending two thirds of the length of the existing building. As stated on the submitted

application form, the proposed extensions would amount to 70m² of floor space, whereas the floor area of the existing building comprises approximately 56m². The proposed extensions would more than double the floor space of the approved building and comprise substantial structures which could not be considered a modest extension to the existing structure. The proposal would therefore fail to meet the terms of Policy GP16(A)g) and the application must be refused.

As the proposal would not be acceptable under the gateway policy for the form of development proposed, and in light of the Guernsey Court of Appeal judgement in *The Island Development Committee v Portholme* [2002] (Civil 320), there is no need to consider the proposals against the other relevant policy requirements.

Arguments advanced by the agent

Definition of wind and water tight

The above definition of wind and water tight was approved by the Development and Planning Authority and published in February 2026, prior to submission of this application in May 2026. The publication of such definitions to aid in the determination of applications is within the remit of the Authority. Whilst a transition period was allowed for certain applications already submitted to or agreed with the Service, permission was already in place for the conversion of the structure at this site and introduction of this definition does not prevent full implementation of that permission. No further advice had been sought in respect of future development. The published definition of wind and water tight would therefore form the baseline for assessment of this application. For completeness, it is however noted that, taking into account the current state of the structure and the unauthorised status of some of the works which have been undertaken, the building in its current state would not have met the standard for wind and water tight previous to publication of the current definition.

Restoration of an historic building

The grant of permission to allow the creation of a dwelling at this site through the conversion of the existing structure enabled the restoration of the historic building. This would not be considered justification for further development.

Provision of new housing

There is an extant permission for the creation of a dwelling at this site. The current application would not make any further contribution to housing provision on the Island. The proposed extensions would simply result in a larger dwelling. Current housing requirements are not a matter required for consideration under Policies GP16(A), or Policy GP13, however, for completeness in addressing the argument put forward in support of this application, it is noted that the larger dwelling proposed under this application would not address housing needs as set out in the States' Strategic Housing Indicator.

Timeframe for the consenting process

The application initially submitted for development at this site did not meet the terms of Island Development Plan policy and did not include sufficient information, therefore resulting in refusal of consent and adding to the “considerable amount of time” referenced in the application covering letter.

Undertaking of unauthorised works

The decision to commence illegal and unauthorised work on the foundations of the extensions now proposed was undertaken at the risk of the applicant, and in the full knowledge that planning permission had been neither sought nor granted for those works. An application must be assessed under the policies and material considerations in place at the time of consideration. As stated in the application covering letter, the fact that work has commenced has not influenced the conclusions reached above.

Delays in building

As noted above, there is an extant permission for a dwelling at this site. That permission can be implemented as granted, and the dwelling can become available for occupation. This application seeks to construct a larger dwelling, outside of the adopted Strategic and Plan policy direction.

Minor departure

The Spatial Strategy as identified within the Strategic Land Use Plan, approved 30th November 2011 (SLUP), is for development to be concentrated within and around the edges of the urban centres of St Peter Port and St Sampson/Vale, with some limited development within and around the edges of the other main parish or local centres to enable community growth and reinforcement of sustainable centres.

The Spatial Policy of the Island Development Plan, expressed through Policy S1 (Spatial Policy), reflects this approach, seeking to, “*concentrate the majority of new development in the Main Centres and the Main Centre Outer Areas to maintain the vitality of these areas...and to allow for development Outside of the Centres in identified specific circumstances, in accordance with the Strategic Land Use Plan.*”

This approach is further reinforced through Policy S4 (Outside of the Centres) and the introduction to Part 3 of the Plan *Policies for Outside of the Centres* which, whilst acknowledging that the Plan makes provision for certain types of development in these locations, states that proposals for new housing will not generally be supported in these areas.

Policy OC1 (Housing Outside of the Centres) sets out the specific circumstances where exceptions can be made to this direction, stating that the creation of new dwellings will only be supported where it is achieved through the subdivision of an existing dwelling or the conversion of an existing redundant building.

Strategic and Island Development Plan policy is therefore clear. In the case of this site, creation of a dwelling is only possible as a conversion of the existing structure. Any development which goes beyond conversion cannot be considered under these policies. The only option to consider such development would be once there is an established dwelling at the site and alternative policies can be engaged. Espousing the direction for flexibility within the Island Development Plan, it has been accepted in practice that for a dwelling to be considered established it does not have to be fully completed, provided that the building is wind and water tight. This practice is consistent across development of this type and no justification has been presented to demonstrate that this site should comprise a departure to this approach. The construction of a dwelling which goes beyond the conversion of an existing structure allowed under Policy GP16(A) is contrary to the spatial strategy and could not be considered a minor departure under Section 12(2) of the Land Planning and Development (General Provisions) Ordinance, 2007.

Conclusion

The extant permission for conversion of the structure at this site has not been implemented to a wind and water tight state and there is not therefore an existing residential building at the site. Policy GP13 would not therefore form a policy gateway for the proposed development.

The only gateway to consider the proposal would be as a variation to the approved scheme, considered under Policy GP16(A). The extent of extension proposed under this application could not however be considered modest and would be contrary to the requirement of Policy GP16(A)g).

In light of the above, the application must be refused.

Date: 27/07/2026

