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 building to create dwelling and associated works (site of a Protected Building) (Revised scheme).

LOCATION: La Hougue Bacheley, Rue De La Hougue Bachele, St. Saviour.

APPLICANT: Mr D Coleman

I refer to the application referred to below received as valid on 26/05/2026 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 28/07/2026

Drawing Nos: PF+A Ltd: 7928-01 B1 Rev B, B2 Rev B

Application Ref: FULL/2026/0858

Property Ref: E011120000

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. The existing building, as it stands, is of insufficient size to meet minimum internal space standards for a single person one bedroom dwelling as set out in the Guernsey Technical Standards and is not capable of conversion to a dwelling without extension. The proposed extension is necessary to form a dwelling and would not therefore be modest. The proposals would be contrary to Policy GP16(A)(Conversion of Redundant Buildings) c) and g) and Policy OC1 (Housing Outside of the Centres).

2. The proposed development does not adequately take into account the use of energy and resources, failing to include provision for renewable energy, and does not meet the terms of Policy GP9 (Sustainable Development).

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/2026/0858
Property Ref:	E011120000
Valid date:	26/05/2026
Location:	La Hougue Bacheley Rue De La Hougue Bachele St. Saviour Guernsey GY7 9QE
Proposal:	Convert, extend and alter building to create dwelling and associated works (site of a Protected Building) (Revised scheme).
Applicant:	Mr D Coleman

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The existing building, as it stands, is of insufficient size to meet minimum internal space standards for a single person one bedroom dwelling as set out in the Guernsey Technical Standards and is not capable of conversion to a dwelling without extension. The proposed extension is necessary to form a dwelling and would not therefore be modest. The proposals would be contrary to Policy GP16(A)(Conversion of Redundant Buildings) c) and g) and Policy OC1 (Housing Outside of the Centres).

2. The proposed development does not adequately take into account the use of energy and resources, failing to include provision for renewable energy, and does not meet the terms of Policy GP9 (Sustainable Development).

OFFICER'S REPORT

Site Description:

The application site as outlined in red on the submitted plans comprises two dwellings known as 'Hougue Bacheley' and 'Hougue Bacheley Cottage' together with miscellaneous other buildings, parking and land. The two dwellings and the roadside wall forward of those buildings and extending to the north boundary are protected.

The site is bounded by residential properties to the north, east and south and across the road to the west. A commercial premises is located across the road to the north-west.

The building which forms the subject of this application is located to the north of the dwellings and comprises a simple single storey building with mono pitch roof. The building appears to have been present on the site since at least the 1960's and is assumed to be a former packing shed, used in association with the glasshouse which

once stood to the east of the site, on land which was developed for housing in the 1990s.

The application site is located Outside of the Centres as defined in the Island Development Plan (IDP) and is also within a Conservation Area.

Relevant History:

FULL/2025/1754 Convert, extend and alter building to create dwelling and associated works (site of a Protected Building). Refused 09/03/2026 for the following reason:

The conversion of the building to a dwelling, by virtue of the size of the existing building, would result in residential accommodation below the minimum standards set down in the Building (Guernsey) Regulations, 2012 and the practical guidance on those requirements in the associated Guernsey Technical Standards. The floor area of the building is such that the scheme would not accord with Policy OC1 of the Island Development Plan as a significant extension would be necessary to achieve the conversion to a residential unit.

Existing Use(s):

Residential Use Class 1 (previously agreed that the subject building falls within the domestic curtilage of La Hougue Bacheley)

Brief Description of Development:

The proposal is for the conversion and change of use of the former packing shed to a residential dwelling, with associated landscaping and parking, following refusal for the same on 09/03/2026 under ref FULL/2025/1754. The proposal remains substantially the same as that previously refused, with the key difference being the position and purpose of the proposed extension.

As refused, the proposal was for a 4.85m2 flat roof extension, comprising entrance, storage and WC, wrapping around the north-east corner of the building.

As now proposed, the extension comprises 5.3m2, increasing the living space of the proposed unit, and extending the monopitch roof form to the south of the building. In association with this work, the internal layout of the proposed dwelling has been reorganised and it is proposed to alter the door aperture to the north elevation to form a window, and to retain the existing door aperture to the south elevation.

Other alterations remain the same as previously proposed, namely replacement of the roof covering, addition of external insulation and installation of new windows and doors.

In support of the application the following have been submitted:

- The Structural Engineer's Report which formed part of the documentation for the previous application;

- An updated GP16(A) report;
- An updated Design and Sustainability Report.

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

OC1: Housing Outside of the Centres
GP4: Conservation Areas
GP5: Protected Buildings
GP8: Design
GP9: Sustainable Development
GP16(A): Conversion of Redundant Buildings
IP6: Transport Infrastructure and Support Facilities
IP7: Private and Communal Car Parking
IP9: Highway Safety, Accessibility and Capacity

Representations:

None received.

Consultations:

None undertaken.

Summary of Issues:

The key considerations in this application include the principle of development, including consideration of the size of the existing and proposed units and the significance of the proposed extension, the standard of living accommodation proposed and the provision of renewable energy.

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).

Principle of Development:

The Island Development Plan (IDP), supported by the SLUP and its Spatial Policy, aims to concentrate new housing within the designated Centres. Policy S4 reinforces this by stating that new housing Outside of the Centres will generally not be supported, helping to protect the countryside from unnecessary urbanisation.

The IDP therefore allocates housing land only within the Centres, allowing new housing Outside of the Centres only in very limited circumstances under Policy OC1, through the subdivision of existing housing or conversion of redundant buildings, to be further

considered under Policy GP16(A). As an exception to spatial policy, such conversion can only be considered where stringent tests, set out within the Policy, are satisfied.

The permitted conversion of buildings Outside of the Centres is not intended to address matters of housing supply but to make sustainable use of existing, redundant, appropriate and structurally sound buildings. Such conversion is also not limited to residential use and it may be that an alternative use of a given building would be possible, where a residential use does not comply with all of the tests. The IDP must always be read as a whole, with proposals assessed against all relevant policies, objectives, supporting text, and guidance. As such, Policy GP16(A) should not be considered in isolation when assessing conversions of redundant buildings Outside of the Centres, but in context with the overarching approach set out above.

Assessment against the criteria of Policies OC1 and GP16(A):

As set out above, Policies OC1 provides a policy gateway for the conversion of buildings outside of the Centres, provided that the proposal meets the terms of Policy GP16(A). The proposal is therefore assessed against the criteria of Policy GP16(A) below:

a. it is demonstrated that the building is no longer required or capable of being used for its current or last known purpose;

As part of the assessment of the previous application, it was accepted that the building was redundant for its former or last known use, in accordance with Policy GP16(A)a), and there has been no subsequent change which would alter this assessment.

b. the conversion will result in the establishment of either residential, social and community, industrial, storage and distribution, convenience retail in coastal locations in accordance with Policy OC4, visitor accommodation or office use or provide facilities for outdoor formal recreation or informal leisure and recreation uses;

The proposal remains for residential use.

***c.** the existing building is of sound and substantial construction and is capable of conversion without extensive alteration or rebuilding;*

In considering the previous application, it was also accepted that the building was of sound and substantial construction, having reference to the submitted Structural Engineer's Report. That Report was prepared in October 2025 and has been resubmitted as part of this application. Following a site visit, it is determined that the Report remains current for the purposes of this application and the previous assessment stands.

The previous application was however refused on the basis that the existing building was too small, in itself and before extension, to achieve the minimum 30sqm floorspace required to create a one-person dwelling under the Building Regulations and was not therefore capable of conversion as it stands. The revised submission put forward under this application does not address this point, nor is confirmation provided of the

floorspace of the existing building. Measuring from the submitted plans, and calculating the floor area by subtracting the stated area of the proposed extension from the stated floorspace for the completed dwelling, it however appears the floor space of the existing building would be approximately 27m2.

The conclusion under this application regarding the size of the building therefore remains the same, having regard to the policy and pre-facing text and the wider policy framework, as set out above.

The overarching policy direction is to enable reuse of existing buildings which would otherwise remain redundant, but are of a form which means they are unlikely to be demolished, for an appropriate use (i.e. one for which the existing built form and location are suited). Whilst modest extension can be allowed as part of a proposal, the direction is not to allow such extension to enable the use of a building where it would not otherwise be possible or for which it would not be suited, or capable. Following this direction, the policy states that the existing building must be capable of conversion without extensive alteration or rebuilding, and consequently that building must be of a size, without extension, to serve the intended use as it stands. This means that for residential purposes the existing building must be of a size and form that can provide an adequate living environment and at least meet the minimum space requirements for that use. The current proposal fails to meet those minimum standards and is not therefore capable of conversion as it stands, or of meeting the requirements of this policy.

Whilst the extent of alteration, excluding extension, proposed to facilitate the conversion would not cumulatively amount to extensive alteration for the purposes of this policy, this does not outweigh the fact that the building is not capable of conversion for the proposed use as it stands.

d. the proposals would have no adverse impacts on the special interest of a protected building and that such interest is appropriately and proportionately preserved and, where possible, enhanced;

Additional to the requirements of this criterion, the Authority has a duty under Section 34 of the Land Planning and Development (Guernsey) Law, 2005, to secure so far as possible that the special interest of a protected building is preserved, and with respect to a protected building or any other building or land in the vicinity of a protected building, to pay special attention to the desirability of preserving the protected building's special characteristics and setting. With regards to the setting of protected buildings, this duty is also encapsulated in Policies GP5 and GP8.

The application site is situated within the curtilage of a protected building (Hougue Bacheley which includes both the main dwelling and 'cottage') and within the vicinity of a protected building to the south-west of the site. Taking into account that the proposal involves a change of use of an existing building and the limited scale of the alterations proposed, the scheme would not harm the setting of any nearby protected buildings. The proposal therefore accords with Policy GP16(A)d) and Policies GP5 and GP8 in

respect of its impact on the setting of protected buildings, and the statutory duty in respect of protected buildings is met.

e. *the proposals would have no unacceptable impacts on the contribution a building of character makes to the character and appearance of the area;*

As previously concluded, the existing building is not of particular character, has a utilitarian appearance, and therefore this criterion does not apply.

Policy GP8 (Design) however requires a development to achieve a good standard of design which makes an efficient and effective use of land and respects the character of the local built environment, whilst providing soft and hard landscaping where this reinforces local character and mitigates the impacts of the development. In this case, as the site is located within a Conservation Area, the Authority has a duty under Section 38 of the Land Planning and Development (Guernsey) Law, 2005 to preserve and enhance the character and appearance of such areas, in accordance with Policy GP4.

In this case, the proposed works comprise the reuse of an existing building. The proposal would not significantly alter the scale, bulk, form or materials of the existing building and, where alterations are proposed, those are designed to complement the existing building. The site accesses would be retained as existing, and hardsurfacing predominantly restricted to existing areas. Soft landscaping is limited, and, in the proposed position, would have limited benefits in terms of mitigating the impacts of the development. Given the low level of such impacts, it is not however considered reasonable to require greater landscaping provision on the basis of mitigation. The height and position of boundary fencing is not clear, and could be intrusive in the street scene if extending to the roadside boundary. Further details of the proposed fencing can however be managed by planning condition. Overall, the proposal would not therefore have any significant impact on the character or appearance of the Conservation Area, and would comply with Policies GP4, GP8 and the statutory duties in respect of Conservation Areas.

f. the conversion and any ancillary development associated with it can be implemented without having any unacceptable adverse impacts on the character and openness of the landscape;

The land surrounding the building is already considered to form domestic garden, surrounded by domestic properties, and, whilst the proposal would result in an intensification of use of the land, any impact on the character of the area resulting from the proposal would be negligible.

As the proposal does not change the underlying use of the land, the Strategy for Nature is not engaged and there is no requirement to consider ecological or biodiversity provision.

g. the conversion would not require more than modest extension to the existing building for it to be achieved;

Paragraph 19.17.8. of the IDP (preamble to Policy GP16) states: *Proposals to convert an existing building may be accompanied by a modest extension provided that the extension is not of such scale that it forms a significant part of the new unit, in effect creating a new building contrary to this policy.*

Similarly, this is also stated in paragraph 16.1.7 in the preamble to Policy OC1, acknowledging that, whilst modest extension can be allowed as part of a proposal, the policy approach does not allow such extensions to enable the use of a building where it would not otherwise be possible or for which it would not be suited, or capable.

The submitted application notes that the proposed extension would be 5.3m3, comprising 20% of the existing floor area. It is also noted that the extension is discretely located and forms a coherent addition to the building. The covering letter to the submission notes that all key services and functions, i.e. the bathroom, kitchen and bedroom are located within the existing building, the extension providing an enhancement to the living/dining area. Whilst that is noted, the accommodation within the main building would not meet the requirements of the Building Regulations, providing only 17sqm of kitchen, living, dining and bathing accommodation, short of the 22sqm requirement. Notwithstanding the points raised in the application therefore, given that the existing building is undersized for residential use, in this context the extension would form a significant part of the proposed dwelling, required to meet minimum standards.

The conclusion can only remain that the existing building, regardless of the use, design or position of the proposed extension, is not of a size which is capable of forming a residential unit as it stands and the extension must be considered an essential, and therefore significant, aspect of the proposal.

h. the proposal would have no unacceptable adverse impacts on the amenities and enjoyment of neighbouring properties and the surrounding area.

The proposed dwelling and associated garden would be bound by residential properties on all sides. The relationship of the proposed dwelling with the adjacent properties to the north, east and west, would however prevent any significant adverse impacts on those properties. Whilst the proposal would be likely to result in an intensification of use of the land, that land is already recognised as domestic and such use is compatible with the surrounding uses. The north boundary in particular would however benefit from supplementary planting, which could be managed through planning condition.

In terms of the residential properties to the south, located within the application site boundary, sufficient amenity space would be retained and, provided that the proposed dividing boundary fence is of appropriate height, adequate levels of privacy would be achieved. The height of the fencing can be managed through planning condition.

<u>Other matters:</u>

Residential amenity, access and parking provision

Whilst as identified above, the existing building is of insufficient size to form a dwelling, the building as proposed to be extended would provide a small one-bedroom one-person dwelling. As proposed, the internal space would fall short of the best practice guidelines set out in the Technical Housing Standards – Nationally described space standard, however would just exceed the minimum standards for single person occupation under the Building Regulations. The size and quality of the outdoor space would be good and the living/kitchen area would benefit from large south facing fenestration.

The access and parking area are existing, and can be satisfactorily separated from those serving the existing dwelling. Whilst the division of the parking areas would restrict the capacity for turning on site for both the existing and proposed dwellings, alteration/extension to the hard surfaced areas could allow for such turning and, given the nature of the adjacent road, this matter is not considered to raise significant road safety concerns. The proposed parking provision is appropriate for the size and type of dwelling proposed, in accordance with the requirements of Policy IP7. The Parking Standards and Traffic Impact Assessment SPG seeks provision of "secure covered cycle spaces" which has been provided, and implementation can be controlled through planning condition.

Sustainability, accessibility and adaptability

In terms of accessibility to and within the building and the provision of flexible accommodation, the submitted information details level access and the accommodation is provided over a single level.

Confirmation has also been received that the proposed development has been designed to take into account matters of energy efficiency in accordance with Policy GP9. The submitted plans show use of permeable hard surfacing in the area closest to the building and the inclusion of rainwater harvesting and an electric charging point, implementation of which can be controlled through planning condition. In line with the approved Electricity Strategy for Guernsey, guidance published in May of this year, previous to submission of this application, however requires the inclusion of solar panels as part of any new housing provision, including conversions. As solar panels are not proposed as part of this application, the proposal does not fully comply with Policy GP9. Whilst a decision could be deferred to seek inclusion, given that the principle of conversion has been found to be unacceptable above, there would be no benefit to deferral in this case.

<u>Conclusion</u>

Policy OC1 provides the policy gateway for conversion of redundant buildings, where all of the requirements of Policy GP16(A) are met.

In this case, and as concluded in respect of the previous application at this site (ref FULL/2025/1754), the existing building is not of sufficient size to be capable of conversion as it stands, failing to meet the requirements of Policy GP16(A)c), and therefore the proposed extension, essential to enable the proposed conversion, could

not be considered modest for the purposes of Policy GP16(A)g). In light of this conclusion, the proposal would also fail to comply with Policy OC1.

The proposed development does not adequately take into account the use of energy and resources, failing to include provision for renewable energy, and does not meet the terms of Policy GP9.

Consequently the application is recommended for refusal.

Date: 28/07/2026