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 building to a residential dwelling and associated works (revised scheme).

LOCATION: Les Pres, La Maison Au Compte, Vale.

APPLICANT: Mr Tim Guilbert

I refer to the application referred to below received as valid on 29/05/2026 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: Tyrrell Dowinton Architects: 2534 03.01 B, 02 B, 03 A, 04 A, 05, 06 A, 07 A

Application Ref: FULL/2026/0888

Property Ref: C010110000

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 falls within the recognised domestic curtilage of the property and is not considered to be redundant for the purposes of Policy GP16(A).

Whether the building is no longer required for its current or last known use requires a broader and more objective assessment than simply whether the building is no longer required at a specific point in time due to the particular personal circumstances of the current occupiers in order to limit development Outside of the Centres to accord with the overall Spatial Strategy.

The facilities provided by the building remain useful to serve the dwelling and the outbuilding is clearly capable of being used for this purpose, i.e. as an ancillary or incidental domestic structure. It has not been satisfactorily demonstrated that the building is no longer required or capable of being used for its current or last known purpose.

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/2026/0888
Property Ref:	C010110000
Valid date:	29/05/2026
Location:	Les Pres La Maison Au Compte Vale Guernsey GY3 5HF
Proposal:	Convert building to a residential dwelling and associated works (revised scheme).
Applicant:	Mr Tim Guilbert

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The existing building falls within the recognised domestic curtilage of the property and is not considered to be redundant for the purposes of Policy GP16(A).

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OFFICER'S REPORT

Site Description:

The application site consists of a detached, 1.5 storey dwelling-house located to the south-west of La Maison Au Compte. The property is situated Outside of the Centres as defined in the Island Development Plan.

The dwelling is served by a group of buildings located to the north-west of the property. The buildings are made up of 3 different structures of different ages and uses. To the north lies a traditional granite building currently used as a home-based office. A larger rectangular building centrally positioned is used as a domestic workshop. A smaller domestic garage lies to the south. The individual buildings adjoin one another, are internally linked, and are recognised as forming one large building mass and therefore are seen as a single outbuilding.

It is understood that the granite larger rectangular building was constructed sometime between 1898 and 1938. The larger rectangular building would have once served as a packing shed given the relationship to the former glasshouses on the site. The use of the other granite building is less clear given that it was built at the same time, but was near the old quarry to the south and therefore may have been used as part of the horticultural and/or mining and quarrying industry. The agent's covering dated 13th April (paragraph 2.4), states that the greater part of the outbuilding existed since in or around 1938 and was affiliated to the former quarry to the south, and continued in such use until 1963.

The garage was later attached to the structure in the late 1970s. In 2012, planning permission was granted to extend the domestic curtilage, amongst other works. The permission (ref: FULL/2012/1703) included the group of buildings to the north-west of the dwelling and therefore they are included as part of the domestic curtilage.

The property is also served by a newly formed outbuilding to the rear (south-west) of the house. Planning permission was granted in 2020 (FULL/2020/1556) to erect a timber framed 1.5 storey outbuilding to the rear (south-west) of the dwelling, which included parking for 3 cars at ground level, and storage provision at first floor level. An application was approved in 2021 to vary the design of the outbuilding to create a home office at first floor level together with a WC and kitchenette (application ref: FULL/2021/0085).

Planning permission was refused earlier this year (2026) to convert an outbuilding to a residential dwelling to create a 1-bedroom dwelling-house (application ref: FULL/2025/1598).

Relevant History:

Reference No	Description	Decision	Date
FULL/2025/1598	Convert building to a residential dwelling and associated works.	Refused	2026
PREA/2025/0531	Proposed dower unit	Pre-application enquiry.	2025
FULL/2021/0085	Variations to plans previously approved to erect timber framed outbuilding on south-west (rear) of dwelling - Change of use of dwelling house (use class 1) to home business (residential use class 5).	Granted	2021
PREA/2020/2525	Variations to plans previously approved to erect timber framed outbuilding on south-west (rear) of dwelling - change of use of first floor to home office.	Pre-application enquiry.	2020
FULL/2020/1556	Erect timber framed outbuilding on south-west (rear) of dwelling.	Granted	2020

Existing Use(s):

Residential

Brief Description of Development:

A revised scheme has been submitted to convert the outbuilding to a residential dwelling and make associated works.

The agent has set out in their letter dated 26th May 2026 that the key design changes from the refused scheme (application ref: FULL/2025/1598) include:

- A clearer definition of the proposed shared boundary, with a choice of finishes and perimeter fencing.
- Removal of the southeast windows to the store, utility and living room, to ensure there is no overlooking into the existing site (Les Pres).

Additional information from Strategic Planning and Property Ltd has been submitted, in support of the application.

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

S1 – Spatial Policy
S4 – Outside of the Centres
OC1 – Housing Outside of the Centres
OC5(B): Agriculture Outside of the Centres – outside of the Agriculture Priority Areas
GP8 – Design
GP9 – Sustainable Development
GP13 – Householder Development
GP16(A) – Conversion of Redundant Buildings
IP7 – Private and Communal Car Parking

Representations:

None.

Consultations:

None.

Summary of Issues:

- Whether the principle of residential conversion is supported under Policy.
- Whether the existing building is redundant for the purposes of Policy GP16(A).
- Whether the design of the proposed dwelling, and impact of the development on the character and appearance of the area 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).

The Spatial Policy of the IDP, expressed through Policy S1, is to concentrate the majority of new development in the Main Centres, make provision for limited development in Local Centres, and allow for development Outside of the Centres in specific circumstances in order to accord with the Strategic Land Use Plan.

Policy OC1 provides for new residential development Outside of the Centres only *"where this is achieved through the subdivision of an existing dwelling or the conversion of an existing redundant building."*

Planning permission was refused under application ref: FULL/2025/1598 to convert an outbuilding to a residential dwelling to create a 1-bedroom dwelling-house. The reasons for refusal were based on the following grounds:

> *"1. The existing building falls within the recognised domestic curtilage of the property and is not considered to be redundant for the purposes of Policy GP16(A).*
>
> *Whether the building is no longer required for its current or last known use requires a broader and more objective assessment than simply whether the building is no longer required at a specific point in time due to the particular personal circumstances of the current occupiers in order to limit development Outside of the Centres to accord with the overall Spatial Strategy.*
>
> *The facilities provided by the building remain useful to serve the dwelling and the building is clearly capable of being used for this purpose. It has not been demonstrated that the building is no longer required or capable of being used for its current or last known purpose. The proposal is contrary to criterion a) of Policy GP16(A).*
>
> *2. The application has failed to satisfactorily demonstrate that the proposal would have no unacceptable adverse impacts on the amenities and enjoyment of neighbouring properties. The proposal does not achieve a satisfactory relationship between the host dwelling (Les Pres) and the proposed dwelling when taking into account the close proximity, relationship, proposed fenestration and layout of the site, which is likely to lead to unacceptable harm to the amenities, enjoyment and privacy of future occupiers of the proposed dwelling. The proposal is contrary to criterion h) of Policy GP16(A)."*

The agent has set out additional justification to seek to address Reason 1 of the refusal, primarily in sections 2.1 -2.15 in their letter dated 13th April 2026.

Whilst it is recognised that the structure may have historically been used for a nearby quarry, the agent notes that the *'full form of the outbuilding has existed for 40+ years in its current built form and since acquired by the current owners was formerly used as a work store, garage and office'.*

The supporting letter dated 10th August 2020 associated with application FULL/2020/1556 noted that:

> "*while there are existing outbuildings already on the site, these do not provide adequate garage and storage facilities as the size of the units are confined".*

Furthermore, supporting letter dated 7th January 2021 associated with application FULL/2021/0085 noted that:

> "*The business has been in operation from the existing outbuilding since 2005, which was originally a garden store…*
> *As the business has developed, it would be beneficial to our client for the office to be relocated to the new building, whilst the existing office space can be reverted back to storage…*
> *An area of the existing workshop is reserved for material storage for use during the installation of the Lightning Protection systems".*

The notion of erection of a new garage/outbuilding/home office within the recognised domestic curtilage, under applications ref: FULL/2020/1556 and FULL/2021/0085, does not in and of itself make the original structure on the premises 'redundant', as such structure was used for ancillary/incidental purposes, serving the dwelling-house, up until the completion of the newly formed outbuilding. The supporting information as part of applications FULL/2020/1556 and FULL/2021/0085, also indicated that the existing outbuilding would serve a useful function for the dwelling-house and home-based business. No further evidence has been submitted as part of this proposal to convincingly address previous refusal Reason 1.

The facilities provided by the building remain useful to serve the dwelling, for the current or a future owner of the site, and the outbuilding is clearly capable of being used for this purpose, i.e. as an ancillary or incidental domestic structure.

Consequently, it has not been satisfactorily demonstrated that the building is no longer required or capable of being used for its current or last known purpose. The proposal is contrary to criterion a) of Policy GP16(A).

As set out in application ref: FULL/2025/1598, the proposal complies with criteria b) – g) of Policy GP16(A). Criterion h), is discussed below.

As a result of the changes to the shared boundary treatment, together with the alterations to the fenestration on the south-east elevation, the agent has successfully

overcome the second reason for refusal as the proposal is not considered to have a significant adverse effect on the amenities of neighbouring residents, which includes the amenities of the host dwelling (Les Pres).

Conclusion:

Overall, despite the additional justification submitted as part of the revised scheme, it is considered that the outbuilding remains useful to serve the dwelling and is capable of being used for this purpose, such as for additional garaging, storage, hobby room, home-based business, potential conversion to a dower unit, or an alternative appropriate ancillary or incidental use.

It is therefore recommended that the application be refused.

Date: 28/07/2026