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: Variation to previously approved plans to erect single storey ancillary living unit - Install dormer windows to west (front) elevation to create accommodation at 1st floor and alterations to fenestration.

LOCATION: Mazack (formerly Notre Maison), Route Du Tertre, Castel.

APPLICANT: Mr & Mrs D Crouse

I refer to the application referred to below received as valid on 29/07/2026 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 28/10/2026

Drawing Nos: JG Architecture Ltd: Site location, 2228-2 02.02C, 02.06C, 02.06(1) B, 02.06(2) A, & 02.12C.

Application Ref: FULL/2026/1127

Property Ref: D01116A000

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 proposed building by virtue of its size, facilities and services does not represent an ancillary or subservient relationship to the existing dwelling and if approved, would be tantamount to a new dwellinghouse and therefore conflicts with Policy OC1 given its location Outside of the Centres and is against the Spatial Policy of the Island Development Plan. The application is therefore contrary to the clear aims and objectives of Policy OC1 and GP13 of the Island Development Plan, and Supplementary Planning Guidance Note 1 - AN1 (Ancillary /Associated Living Accommodation Units - a Guide to 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/2026/1127
Property Ref:	D01116A000
Valid date:	29/07/2026
Location:	Mazack (formerly Notre Maison) Route Du Tertre Castel Guernsey GY5 7JN
Proposal:	Variation to previously approved plans to erect single storey ancillary living unit - Install dormer windows to west (front) elevation to create accommodation at 1st floor and alterations to fenestration.
Applicant:	Mr & Mrs D Crouse

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The proposed building by virtue of its size, facilities and services does not represent an ancillary or subservient relationship to the existing dwelling and if approved, would be tantamount to a new dwellinghouse and therefore conflicts with Policy OC1 given its location Outside of the Centres and is against the Spatial Policy of the Island Development Plan. The application is therefore contrary to the clear aims and objectives of Policy OC1 and GP13 of the Island Development Plan, and Supplementary Planning Guidance Note 1 - AN1 (Ancillary /Associated Living Accommodation Units - a Guide to Development).

OFFICER'S REPORT

Site Description:

The site is located to the east of Vazon and occupies a triangular plot to the north of Route de Tertre which is bound by agricultural land to the north and north-east and a neighbouring residential dwelling immediately adjacent to the eastern boundary. The land rises gently to the north of the site, meaning the dwelling is elevated approx. 0.5m above the road level. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2024/1094 – Demolish existing dwelling and outbuildings, erect replacement dwelling and single storey outbuilding/dower unit and associated works – Approved September 2024.

FULL/2023/2364 - Variation to previously approved plans to erect 1.5 storey detached garage/office, erect new roadside wall, relocate and create gated vehicle access - Install dormer windows to west (rear) elevation – Approved January 2024.

Existing Use(s):

Residential use class 1: dwelling house.

Brief Description of Development:

Initially this application was for a variation to the previously approved application to erect an outbuilding/dower unit (now referred to as an Ancillary Living Unit – ALU), the variation was to insert two large dormer windows with Juliet balconies to the ALU to allow for a first floor to house a hobby room.

The application was previously deferred due to design issues and the agent has amended the drawings so that both dormers are now smaller, with windows rather than doors and the pitch of the dormers match those on the main dwelling.

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

GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Representations:

There have been four letters of representation received, whilst three of the letters are objecting to the redevelopment of the whole site, which is not what this application is about, one letter is specific to the dormers windows which are subject of this application. The issues within this letter are:

- The cover letter describes the amendments as a "modest variation", the proposal introduces first-floor accommodation, dormer windows and Juliet balconies to a structure that was originally presented and approved as a single-storey dower unit. The introduction of a first floor fundamentally changes both the scale and character of the approved building.
- The proposals will inevitably increase the visual presence and massing of the structure within the site. This results in a development that is materially different from the single-level building that received planning approval. This raises concerns regarding whether the development remains appropriate in terms of its design, scale, siting and relationship with neighbouring properties.
- There are serious concerns about the amount of construction the project will bring to the area.

Consultations:

None.

Summary of Issues:

- Whether the proposal remains ancillary to the main dwelling
- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

Notwithstanding the amendments made to the design of the dormers, it is apparent that the previous approval for an ALU related to a more modest, single storey unit. The ALU was approved with one bedroom, a bathroom, open plan lounge/kitchen and storage room. The scale of the ALU was proportionate to the size of the main dwelling, and the accommodation to be provided was commensurate with an ALU.

By adding two dormers to the ALU, and creating a central staircase, the ALU becomes tantamount to a separate dwelling, large enough to be a three-/four-bedroom dwelling, which is not ancillary or incidental to the main dwelling.

Consequently, the proposed building by virtue of its size, facilities and services does not represent an ancillary or subservient relationship to the existing dwelling and if approved, would be tantamount to a new dwellinghouse and therefore conflicts with Policy OC1 given its location Outside of the Centres and is against the Spatial Policy of the Island Development Plan.

The application is therefore contrary to the clear aims and objectives of Policy OC1 and GP13 of the Island Development Plan, and Supplementary Planning Guidance Note 1 - AN1 (Ancillary /Associated Living Accommodation Units - a Guide to Development).

Therefore the recommendation for this application is one of a refusal.

3 - General material considerations set out in the General Provisions Ordinance.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been considered in the assessment of this application. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 28/10/2026