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: Extend and alter at ground and first floor levels, including link extension and relocating ancillary living unit.

LOCATION: Shek-o, Route Des Sablons, St. Pierre Du Bois.

APPLICANT: Mr & Mrs Bird

I refer to the application referred to below received as valid on 05/08/2026 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: 2641 02.01, 02, 03, 04, 05

Application Ref: FULL/2026/1280

Property Ref: F00158A000

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 extension does not represent an ancillary or subservient relationship to the existing dwelling and if approved, would be tantamount to a new dwellinghouse by virtue of its size, facilities and services and therefore conflicts with Policy OC1 given its location Outside of the Centres and is against the Spatial Policy of the Island Development Plan. Moreover, the existing house, proposed to form a dower unit/ancillary living unit, would retain all the facilities to enable it to be used as a separate dwelling, resulting in the potential for two dwellings on this site. 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/2026/1280
Property Ref:	F00158A000
Valid date:	05/08/2026
Location:	Shek-o Route Des Sablons St. Pierre Du Bois Guernsey GY7 9LN
Proposal:	Extend and alter at ground and first floor levels, including link extension and relocating ancillary living unit.
Applicant:	Mr & Mrs Bird

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The proposed extension does not represent an ancillary or subservient relationship to the existing dwelling and if approved, would be tantamount to a new dwellinghouse by virtue of its size, facilities and services and therefore conflicts with Policy OC1 given its location Outside of the Centres and is against the Spatial Policy of the Island Development Plan. Moreover, the existing house, proposed to form a dower unit/ancillary living unit, would retain all the facilities to enable it to be used as a separate dwelling, resulting in the potential for two dwellings on this site. 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 application site consists of a dwelling-house located to the north-east of Route des Sablons, and facing the coast. The property is accessed to the rear, off the junction between Route des Sablons and Route des Adams.

The property is also bounded by another dwelling, attached to the rear, known as Sandy Cottage, which is a separate property.

The dwelling, known as Shek-o, is served by a detached two storey dower unit which was approved in 2012 under planning ref: FULL/2012/0109. To the east of the dower unit lies the recognised garden, with an agricultural field to the north of the driveway.

The site is located Outside of the Centres as defined in the Island Development Plan (IDP).

Relevant History:

Reference No	Description	Decision	Date
FULL/2012/0109	Erect a detached dower unit on south-east elevation of dwelling (revised) and extend domestic curtilage.	Granted	2012
FULL/2011/2757	Erect detached dower unit at the side/rear of property.	Refused	2011

Existing Use(s):

Residential

Brief Description of Development:

Planning permission is sought to extend the building and alter at ground and first floor level. The proposal seeks to convert the main house into a dower unit, and to extend the building to the south-east by creating a larger, two storey pitched roof extension. The proposed pitched roof extension will form the main dwelling, with the existing dwelling forming a dower unit, linked by a single storey flat roof extension.

The proposed dower unit will be served by a kitchen/living and dining room, master bedroom, shower room, study and utility on the ground floor, with 2 additional bedrooms, a dressing room, shower room, bathroom and landing area, on the first floor.

The proposed extension, to be regarded as the host dwelling, will feature a hallway, landing, sitting room, kitchen/dining room, entrance/sitting room, playroom, utility and shower room on the ground floor, with 3 bedrooms, sitting room, bathroom, dressing room, and en-suite on the first floor.

The agent's letter of 3rd August 2026 states that:

- The dower unit is intended to be occupied only by persons with a direct association with the occupants of the principal dwelling.
- The principal dwelling and dower unit would remain within one planning unit and under single ownership and control.
- They would share the existing vehicular access, driveway, parking areas, garden, external amenity spaces and refuse arrangements.
- The proposed dower unit would have a floor area of approximately 66.41sqm, which is marginally smaller than the existing dower accommodation of approximately 67.21sqm.

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

OC1 Housing outside the centres
GP8 Design

GP9 Sustainable Development
GP13 Householder Development

Planning Advice Note – AN1. Ancillary /Associated Living Accommodation Units - a Guide to Development.

Representations:

None.

Consultations:

None.

Summary of Issues:

- Whether the proposed extension is ancillary to the existing dwelling
- Whether the conversion of a dwelling-house could reasonably be regarded as a dower unit
- Whether the design, scale, mass, siting, form and materials of the proposed development is acceptable
- The impact of the development on the character and appearance of the area.
- The impact of the development on neighbour amenity

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 Planning and Development (General Provisions) Ordinance, 2007 have been considered in the assessment of this application.

In this instance, it is proposed to convert the main dwelling into a dower unit, and to erect a large, two storey extension which is to be regarded as the host dwelling.

The fundamental planning issue is whether there is scope under Policy GP13 to create an extension that is larger than the existing dwelling and has all the facilities to create a new dwelling-house, and whether a dwelling-house could be regarded as a dower unit following such extension.

Whether the proposed extension is ancillary to an existing residential dwelling

Paragraph 19.14.4 of Policy GP13 sets out that:

'Householder development includes alterations and extensions to existing residential buildings, the redevelopment of dwellings and other residential structures to provide replacement dwellings where there is no increase in the number of dwellings and other works within the curtilage of a dwelling that are ancillary to its residential use.'

Paragraph 19.14.8 of Policy GP13 goes onto state that:

'proposals for extensions and alterations to existing residential dwellings, including ancillary works within the domestic curtilage, will generally be supported subject to certain requirements being met and where they accord with all the relevant policies of the Island Development Plan.'

In this case, the proposed extension would be larger than the 'existing dwelling', would not be subservient, subordinate, and proportionate to the host dwelling, and would have all the facilities and services that would be tantamount to a new dwelling-house. Consequently, the proposed extension would be beyond the scope of Policy GP13.

The proposal therefore conflicts with Policy OC1 and the Spatial Policy of the Island Development Plan where the creation of a new dwelling Outside of the Centres is precluded, unless through the subdivision of an existing house or through conversion of a redundant building.

<u>Whether the existing dwelling-house could reasonably be regarded as a dower unit</u>

Policy GP13 (Householder Development) 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 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 proposal is not seeking to significantly diminish the facilities and services of the existing dwelling that would make it no longer fit for purpose or operate as a dwelling-house. The existing house, proposed to form a dower unit/ancillary living unit, would retain all the facilities to enable it to be used as a separate dwelling, resulting in the clear potential for two dwellings on this site.

Overall, the principle of changing the use or reclassifying a dwelling-house to a dower unit or an Ancillary Living Unit, is not supported under Policy GP13.

Conclusion

The application is 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).

It is therefore recommended that the application be refused.

Date: 28/10/2026