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 including ancillary living unit to south (side) elevation and associated works.

LOCATION: La Cloture, Les Grandes Rocques, Castel.

APPLICANT: Mr & Mrs Le Maitre

I refer to the application referred to below received as valid on 09/09/2026 regarding the above proposals as described more fully in the application and drawings referred to below.

Date of refusal of permission: 13/10/2026

Drawing Nos: JG Architecture Ltd - 2656 02.01, 02.02A & Planning and Statement Design V1.1

Application Ref: FULL/2026/1320

Property Ref: D018140000+D01811A000

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 extension proposed, by virtue of its size, fenestration arrangement and independent layout is tantamount to the erection of a separate dwelling which would form a separate planning unit and would not be ancillary to the existing dwelling. It has not been demonstrated that the proposal constitutes householder development ancillary to an existing dwelling and therefore the proposal does not accord with Policy GP13 and by extension Policy OC1 which precludes new build housing Outside of the Centres.

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/2026/1320
Property Ref:	D018140000+D01811A000
Valid date:	09/09/2026
Location:	La Cloture Les Grandes Rocques Castel Guernsey GY5 7FX
Proposal:	Erect single storey extension including ancillary living unit to south (side) elevation and associated works.
Applicant:	Mr & Mrs Le Maitre

RECOMMENDATION - Refusal with Reasons:

REASONS FOR REFUSAL

1. The extension proposed, by virtue of its size, fenestration arrangement and independent layout is tantamount to the erection of a separate dwelling which would form a separate planning unit and would not be ancillary to the existing dwelling. It has not been demonstrated that the proposal constitutes householder development ancillary to an existing dwelling and therefore the proposal does not accord with Policy GP13 and by extension Policy OC1 which precludes new build housing Outside of the Centres.

OFFICER'S REPORT

Site Description:

The application site is located to the west of Les Grandes Rocques road. The opposite side of Les Grandes Rocques comprises relatively high-density residential development. The site is situated Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2021/1295 - Change of use of agricultural land to domestic garden (999 sqm.) – granted. Landscaping condition discharged 22/09/2021.

Pre-application advice regarding extending and providing ancillary living accommodation was sought in this case.

Existing Use(s):

01 dwellinghouse

Brief Description of Development:

The application relates to the erection of a single-storey pitched and flat roof extension attached to the side of La Cloture comprising an open plan kitchen and living area, bedroom, bathroom and hallway along with a shared office although there is no internal link between the main house and extension.

The extension has been designed with a standing seam sheeting exterior to roofs and walls along with vertical timber effect wall cladding. Solar panels are also indicated to be provided.

The submission outlines that the proposed extension will allow for multi-generational living at La Cloture with a shared office space all to sit within the curtilage of the property. It is argued that the office extension will provide the physical connection between the existing and proposed external materials and that by being attached to the main dwelling the relationship between the ancillary living unit (ALU) and main house would accord with the expectations of the published guidance for Ancillary Living Accommodation Units. The submission also seeks to highlight that there will be intervisibility between the main house and extension from the dining room to the kitchen. The scheme also proposes to plant replacement hedging that would be lost as a result of the proposed development. The submission confirms how the accommodation has been designed to meet the internal space provision for a self-contained dwelling occupied by two people.

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

OC1: Housing Outside of the Centres
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

AN1: Ancillary Living Unit Accommodation

Representations:

None.

Consultations:

None.

Summary of Issues:

In relation to the proposed extension, consideration is given to its design and appearance, its impact on the locality and its independent occupation but for use as habitable accommodation for a family member.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below.

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

The key issue in this case relates to the independent nature of the proposed accommodation, without any internal link between La Cloture and the extension. Although an element of intervisibility is highlighted this is between a secondary window serving the dining room and the kitchen door for the extension which is limited.

In the Ancillary Living Unit Advice Note, ancillary living accommodation is defined as: "a building, or part of a building, for residential purposes" which "is used, or is intended to be used, as living accommodation, to be occupied only by a person(s) who is allowed access to the principal dwelling and its facilities, without limitation" (Building (Guernsey) Regulations). This for example could be a live-in carer of an occupier of the principal dwelling or a relative of an occupier of the principal dwelling. For clarity, an ancillary or associated living accommodation unit may be self- contained but cannot be occupied as a separate dwelling independent from the principal dwelling. It is secondary accommodation to the existing dwelling.

A main issue when dealing with proposals for ancillary or associated living accommodation is whether the accommodation to be provided will be incidental or subordinate to the occupation of the principal dwelling and the Advice Note also highlights key points to assist in the assessment of whether accommodation would be ancillary/associated to the principal dwelling:

- Relationship between occupiers of the ancillary living accommodation and principal dwelling – the accommodation is to be occupied by family members.
- Physical relationship between the ancillary accommodation and principal dwelling – in this case the accommodation would be attached, but independent from, the main house and with its own entrance to the rear. There is a route to the entrance door which would be to the side of the extension and not via the main house given the absence of any internal link. As proposed therefore, the building does not have good connectivity or intervisibility between fenestration for the main house and ancillary accommodation.
- Shared vehicle access – this has been confirmed as shared.
- Separate utility supplies - joint utilities have been confirmed although a new hot water cylinder may be required which could be situated in the shared office space.
- Shared facilities with the principal dwelling – laundry facilities are indicated to be within the main dwelling, to be shared with access for these shown via the sunroom or back door/hallway. The kitchen in the ALU is also noted as being modest and ancillary to the kitchen in the main dwelling.

Policy GP13 highlights that dower units will be supported where the additional accommodation is "demonstrably ancillary and well-related to the existing dwelling". As

ancillary living units are not considered as separate dwellings, the normal requirements regarding access, parking, garden space and level of residential amenity are not applied. As a result, although the building has been designed to meet the internal space standards for a two-person dwelling this need not apply for the ancillary accommodation. The floorspace of the proposed extension is relatively generous and not significantly smaller than the original ground floor plan of La Cloture (kitchen, dining, living and bedroom) and in this regard is not considered subordinate.

As the submission confirms, the accommodation is large enough to represent a self-contained dwelling for two people. As such, it would be sufficient in size therefore, to have all the facilities found in a self-contained unit of accommodation. The extension would be of a size that could easily provide the level of accommodation required for day to day living as a separate residential unit which would require different policy considerations and formation of a separate unit of residential accommodation would be precluded in this situation Outside of the Centres.

The minimum accommodation size for a two-person dwelling would be 35sqm (one person = 30sqm). The combination of the size and nature of the proposed use of the extension proposed gives the impression that the extension would form a separate planning unit and is more akin to the erection of an independent new build dwelling, which would be precluded under Policy OC1 (Housing Outside of the Centres). The issue in this case is that subordination is not simply about size but rather whether the extension remains functionally and physically part of the principal dwelling. The proposed accommodation will have its own kitchen with breakfast bar for dining, bathroom, living room and is as such capable of being occupied and operated independently. The fenestration position results in private views rather than integration as expected with ancillary living accommodation units. As a result, the proposal does not therefore, demonstrably constitute householder development ancillary to an existing dwelling and does not accord with Policy GP13.

Concluding comments on key issue

Multigenerational living is encouraged and in principle can be achieved through development which accords with planning policy. In this case, the size of the unit and its relationship with the existing dwelling leads to a conclusion that the proposed unit is more akin to a new dwelling than an ancillary living unit. This could potentially be addressed by reducing the size of the unit, including considering making the living accommodation more efficient (for example reducing unnecessary circulation space and potentially omitting the office, the purpose of which is unclear) and improving its relationship with the main dwelling in terms of circulation, more direct linkage and the position of fenestration such that it would not lend itself readily to separate occupation.

Other matters

The siting and design of the extension is such that it represents a standard of design that respects the built environment and which will not result in harm to the open landscape

that exists beyond the site. Its siting and single-storey design are such that the development will not result in overshadowing or overlooking to neighbouring properties and will offer a good level of amenities for future occupiers.

Although the scheme would result in the loss of landscaping approved through the change of use of agricultural land it has been 5 years since those details were approved therefore the replacement/replanting condition would now likely be discharged and no further consideration of the Strategy for Nature SPG would be required.

Confirmation has been received that the proposed development has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

In view of the independent layout, scale of accommodation and limited fenestration for intervisibility it is recommended that the application is refused.

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

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations which could be relevant. Where relevant these have been considered in the assessment of this application.

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

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 12/10/2026