

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005
AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS)
ORDINANCE, 2007

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Change of use of room in dwelling (residential use class 1) to Dog Grooming business (residential use class 5).

LOCATION: The Kennings, Avenue Du Manoir, Ville Au Roi, St. Peter Port.

APPLICANT: Mr G Kenny

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

Date of Grant of Permission: **24/06/2022**

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 05/05/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Plan and Floor Plan (both date stamped 05/05/2022), Applicant letter dated 30/04/2022

Application Ref: FULL/2022/0812

Property Ref: A404510000

Conditions and reasons:-

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4. The operating hours for the dog grooming business shall be restricted to Mon-Fri 08:00-16:00 and Sat 08:00-13:00 only as proposed in the applicant's letter dated 30/04/2022. Customer's dogs are not to be kept at the premises outside of these hours.

Reason - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

5. The dog grooming business shall be operated in accordance with the applicant's letter dated 30/04/2022.

Reason - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

Expiry Date: This permission will cease to have effect on 23/06/2025 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Effect of planning permission:

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

- (1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date

on which it is granted (or such shorter period as may be specified in the permission).

(2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.

(3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.

(4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.

(5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

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, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. 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. The official Appeal Notice Forms are available on the States of Guernsey website at www.gov.gg/planningpanel and must be completed with all enclosures in multiples as requested and received within the six months deadline.

Copy of representations made:

In reaching this decision the 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 under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

Other Remarks:

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services (highways@gov.gg) for further advice. You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with their requirements.

This document is not a Building Licence and confers no approval under the Building Regulations.

A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.

A J ROWLES

Director of Planning
Planning Service

PLANNING APPLICATION REPORT

Application No: FULL/2022/0812
Property Ref: A404510000
Valid date: 05/05/2022
Location: The Kennings Avenue Du Manoir Ville Au Roi Ville Au Roi St.
Peter Port Guernsey GY1 1PE
Proposal: Change of use of room in dwelling (residential use class 1) to
Dog Grooming business (residential use class 5).
Applicant: Mr G Kenny

RECOMMENDATION - Grant: Planning Permission with Conditions:

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4. The operating hours for the dog grooming business shall be restricted to Mon-Fri 08:00-16:00 and Sat 08:00-13:00 only as proposed in the applicant's letter dated 30/04/2022. Customer's dogs are not to be kept at the premises outside of these

hours.

Reason - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

5. The dog grooming business shall be operated in accordance with the applicant's letter dated 30/04/2022.

Reason - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'The Kennings' is a 1930's two storey dwelling, one of the first in the Ville au Roi Estate. The property sits on a corner plot with Avenue du Manoir running along the north boundary, and Avenue Germain running along the west boundary. The property sits in the southeast corner of a plot facing northwest. The vehicular entrance is from Avenue Manoir on the northeast corner. The property is located within the St Peter Port Main Centre Outer Area as defined in the Island Development Plan.

Relevant History:

FULL/2020/0480 – Demolish existing and erect replacement extension to rear of dwelling – Approved June 2020.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

GP8: Design

GP14: Home Based Employment

Consultations:

The Office of Environmental Health and Pollution Regulation,
"I have reviewed the proposed plans for The Kennings, Avenue Du Manoir, St. Peter Port, Guernsey, GY1 1PE which were received by post on 10th May 2022. There are two conditions that I would recommend being attached to the consent:

- The operating hours for the dog grooming to be restricted to Mon-Fri 08:00-16:00 and Sat 08:00-13:00 only as proposed in the applicant's cover letter. Customer's dogs are not to be kept at the premises outside these hours.*
- No more than two customer's dogs are permitted at the premises at any one time.*

I would be grateful if these issues are considered during the determination of this application."

Conclusion/Brief comment:

This application is for a change of use of a room within the dwelling (residential use class 1) to a dog grooming business (residential use class 5).

Policy GP14 supports the operation of small-scale home businesses in a Main Centre Outer Area as long as it will not have an adverse impact on neighbouring properties or the surrounding area as a result in increased activity and disturbance. Home-based working typically employs a low number of people, have a low intensity use, do not require a significant level of support services and are of a scale and form which do not detract from the character of the surroundings.

The dog grooming business will be located in the recently built extension, which was going to be a snug. The room has its own separate entrance on the northeast elevation. The external appearance of the extension will not be changed, so the proposals will not alter the outlook from this elevation. The change from snug to dog grooming parlour is not considered to impact upon the character of the area, nor will it have any detrimental effects on the neighbours' amenity.

In this case the principal use of the site will clearly remain for residential use by the occupier. The opening hours of the business have been specified as 8am-4pm Monday to Friday and 8am-1pm on Saturdays, no Bank Holidays or Sundays. The maximum number of dog grooms in one day would be 3, as the dogs will be on site for the sole purpose of grooming they will predominantly be inside. There is a small area to the rear of the house where dogs would be able to toilet if necessary. A double gate system will be installed to ensure security of the dogs. Clients may park in the drive, to drop off and pick up, which is adjacent to the door to the grooming room. It would be reasonable to impose a condition restricting operation of the business in accordance with these details as outlined in the applicants supporting letter.

This business is run by one of the homeowners, is considered to represent a low intensity use and does not require any support services. The low intensity nature of the proposed business leads to the conclusion that there would not be any materially significant increase in the volume of vehicle movements, therefore there is no concerns with highway safety or capacity.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 23/06/2022