

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 residential outbuilding (Use Class 1) to dog grooming business (Use Class 5).

LOCATION: L'Apero, Les Nouettes, Forest.

APPLICANT: Ms L Gorvel-Hepworth

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: 22/09/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/08/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block plan and plan (dated 04/07/25).

Application Ref: FULL/2025/1171

Property Ref: H00577A000

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.A maximum of 2 dogs are to be allowed on the business premises at any one time.

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

5.The use hereby permitted shall not be open to dog grooming except between the hours of 08:00 and 16:30 on Mondays to Saturdays and not at any time on Sundays, Bank or Public Holidays.

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 21/09/2028 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this planning permission does not allow dogs to be boarded at the premises as this has not formed part of the description of development nor assessment of the application.

Please note that this grant of planning permission does not negate the possibility of formal action under the Public Health Ordinance should a statutory nuisance be identified.

Any changes in the way in which the dog grooming business is run from that described and conditioned may mean that further planning permission(s) are required. Please get in touch with the Authority to discuss any changes you wish to make prior to their implementation to establish whether the changes would require any further permissions from the Authority.

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/2025/1171
Property Ref: H00577A000
Valid date: 04/08/2025
Location: L'Apero Les Nouettes Forest Guernsey GY8 0ED
Proposal: Change of use of residential outbuilding (Use Class 1) to dog grooming business (Use Class 5).

Applicant: Ms L Gorvel-Hepworth

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. A maximum of 2 dogs are to be allowed on the business premises at any one time.

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

5. The use hereby permitted shall not be open to dog grooming except between the hours of 08:00 and 16:30 on Mondays to Saturdays and not at any time on Sundays, Bank or Public Holidays.

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.

INFORMATIVES

For the avoidance of doubt, this planning permission does not allow dogs to be boarded at the premises as this has not formed part of the description of development nor assessment of the application.

Please note that this grant of planning permission does not negate the possibility of formal action under the Public Health Ordinance should a statutory nuisance be identified.

Any changes in the way in which the dog grooming business is run from that described and conditioned may mean that further planning permission(s) are required. Please get in touch with the Authority to discuss any changes you wish to make prior to their implementation to establish whether the changes would require any further permissions from the Authority.

OFFICER'S REPORT

Brief Description of the site:

The property known as L'Apero is a detached 1970's bungalow, which was extended first in the 1980's and again in the early 1990's creating annexe accommodation. By 2006 the outbuilding subject of this application was constructed. The main dwelling is set back from and faces south onto Les Nouettes. There are neighbouring properties to the east and west and an agricultural field to the north. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

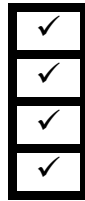
There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable



visual amenity acceptable
no material neighbour impact
traffic not affected



Policies considered most relevant:

GP8: Design
GP13: Householder Development
GP14: Home Based Employment.

Consultations:

The Office of Environmental Health and Pollution Regulation.
29/08/2025

'I have reviewed the proposed plans for the change of use of residential outbuilding to dog grooming business at the above site.

Due to the proximity of the proposed dog grooming business to neighbouring properties, I have concerns regarding the potential for noise nuisance, particularly in relation to dog barking and the operation of grooming equipment. In order to protect the amenity of nearby residents, I recommend that the following conditions be attached to any consent granted for this application:

- A maximum of 2 dogs are to be allowed on the business premises at any one time.*
- The use hereby permitted shall not be open to dog grooming except between the hours of 08:00 and 16:30 on Mondays to Saturdays and not at any time on Sundays, Bank or Public Holidays.*
- No dogs shall be boarded as part of the business operations.*
- Dog grooming equipment shall be operated in the building only while all doors and windows remain closed.*

In addition, I would recommend that the States Veterinary Officers are also consulted due to the nature of the proposed business operations.'

States of Guernsey Vet.
18/09/2025

'Thank you for the opportunity of reviewing this application. The fact that the applicant is proposing a one in one out policy and that they are working towards a level 3 qualification equivalent to an NVQ is very encouraging.

The plans are basic but there are two double door "airlock" arrangement to access the main room avoid opportunity for escapees which is essential. There are two large windows, but it is not clear if they can open to provide ventilation. If they can open it would be necessary to ensure that they do not provide an opportunity for escape. If the windows do not open it is important that a mechanical means of ventilation is provided, and attention should be given to its position to avoid creating a noise nuisance for neighbours. Without appropriate ventilation humidity in dog grooming premises can become a problem for the building, the dog, and the operator.

Drainage of wastewater is an important consideration, and this must consider that drains will be prone to blockages by dog hair so easily accessible rodding points would be advantageous. Other waste including hair and dog faeces must be disposed of appropriately and removed from the site regularly.

The operator may occasionally need to use a toilet in the house and if a dog is left in the grooming area it should be put into a kennel. It appears that the grooming room has two smaller rooms attached and I presume that one of these could be used as a kennel for a short period.

All the surfaces including walls, floor and ceiling should be constructed of materials that are smooth, continuous impervious and are resistant to cleaning and disinfection. All electrical equipment should be fit for purpose and inaccessible to the dog. The owner must keep records of owners contact details and their dogs.'

Conclusion/Brief comment:

This application is for a change of use of the outbuilding from use class 1, residential to a dog grooming business, use class 5. Whilst there are circumstances where a business can operate from home where the relevant exemption criteria are (Exemptions Ordinance) met a home based business must also comply with the definition through the Land Planning (Use Classes) Ordinance, 2017 which specifies a use should not have "material detrimental effects on a neighbouring property". The application is required therefore, to address the neighbour amenity issues that could arise from the proposed use.

The outbuilding has been fitted with the appropriate apparatus, surfaces and finishes for a dog grooming salon, with a double door 'airlock' entrance to prevent escapees, two separate kennels, and two openable windows with restrictors, again to prevent dogs escaping whilst allowing ventilation into the room.

The detached outbuilding is located north of the main dwelling, with plenty of parking to the east of the dwelling for dog owners to drop off and collect their pets. The outbuilding is 8.5m away from the nearest boundary and 10m away from the

nearest neighbouring property to the west and over 40m to the neighbour in the east.

The business will operate on a one dog per session, unless there are two dogs from the same family, but no more than two at a time. The opening hours will be 8am to 4.30pm Monday to Saturday, but usually will only be open four and a half days a week.

The proposals are considered to achieve a good standard of design, and are not considered to have a detrimental effect on the character and amenity of the surrounding area. Subject to the conditions recommended by Environmental Health the potential impact on residential amenity remains within acceptable limits.

Environmental Health requested a condition regarding the windows and doors to be shut whilst using the grooming equipment, but the States Vet said there needs to be ventilation whilst grooming takes place. In discussion with Environmental Health it has been agreed that the condition, for the comfort of dogs and the groomer, can be omitted. Should issues relating to noise result from the use this can be addressed by Environmental Health legislation.

As dog boarding was not part of this application and has not been assessed as part of this application the suggested condition has been moved to an informative.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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 taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 22/09/2025

