

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: Demolish outbuilding/garage, erect 1.5 storey domestic outbuilding and single storey covered area/car port, relocate oil tank, install hardstanding/extend parking area and alterations to landscaping to south of site (site of Protected Building).

LOCATION: Edgeborough House, Grange Road, St. Peter Port.

APPLICANT: Mr & Mrs A Haining

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: 05/12/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 14/10/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: SOUP Architects Ltd: 501_090, 100, 110, 200, 300

Application Ref: FULL/2025/1576

Property Ref: A306570000

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.For the avoidance of doubt, this decision permits the proposed domestic outbuilding (however named), to be used only for purposes ancillary to the enjoyment of the main dwelling house, unless in accordance with a use permitted under the Land Planning and Development (Exemptions) Ordinance, 2023 or any other Ordinance replacing or re-enacting that Ordinance. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

Reason - Due to the internal and external size, form and appearance of the proposed structure, it is necessary and reasonable to attach a planning condition to this decision to ensure that the outbuilding remains ancillary to the host dwelling (Edgeborough), and does not become severed from that property, unless planning permission is sought and granted for such a proposal.

Expiry Date: This permission will cease to have effect on 04/12/2028 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/2025/1576
Property Ref: A306570000
Valid date: 14/10/2025
Location: Edgeborough House Grange Road St. Peter Port Guernsey
GY1 1RH
Proposal: Demolish outbuilding/garage, erect 1.5 storey domestic
outbuilding and single storey covered area/car port, relocate
oil tank, install hardstanding/extend parking area and
alterations to landscaping to south of site (site of Protected
Building).
Applicant: Mr & Mrs A Haining

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. For the avoidance of doubt, this decision permits the proposed domestic outbuilding (however named), to be used only for purposes ancillary to the enjoyment of the main dwelling house, unless in accordance with a use permitted under the Land Planning and Development (Exemptions) Ordinance, 2023 or any other Ordinance replacing or re-enacting that Ordinance. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

Reason - Due to the internal and external size, form and appearance of the proposed structure, it is necessary and reasonable to attach a planning condition to this decision to ensure that the outbuilding remains ancillary to the host dwelling (Edgeborough), and does not become severed from that property, unless planning permission is sought and granted for such a proposal.

OFFICER'S REPORT

Brief Description of the site:

The application site consists of a 3.5 storey mid-terrace property which is located south of Grange Road. The property is a protected building, located in a Main Centre Inner Area as designated in the Island Development Plan.

Planning permission is sought to demolish an outbuilding/garage, and erect a 1.5 storey domestic outbuilding proposed to be used as an ancillary living unit (sometimes referred to as a dower unit) and single storey covered area/car port to the south of the site. The proposal also includes relocating an oil tank, installing hardstanding and altering the landscaping.

The agent has provided a Design Statement and Historic Impact Assessment as part of the application.

The application was deferred to ascertain further information in respect of the use of the proposed ancillary living unit.

The agent has set out in their emails of 24th and 26th November that, the ancillary unit will at some point be used by an employee of the family (as a live in carer), although in the immediate term will be used by family when visiting the island. The proposed unit is 26m from the main house and are physically connected through the shared garden space, the vehicle access points (located to the front and rear), main garden, utility supplies, and kitchen and dining areas, will all be shared with the main house.

Relevant History:

Reference No	Description	Decision	Date
FULL/2025/0968	Erect single storey extension, alter ground levels and external steps to south (rear) elevation (Protected Building).	Granted	2025
FULL/2025/0490	Install replacement windows to north (front) and south (rear) elevations (Protected Building).	Granted	2025
FULL/2025/0483	Alter roof and install dormer window to south (rear) elevation (Protected Building).	Granted	2025

Existing Use(s):

Residential.

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:

GP4 Conservation Areas
GP5 Protected Buildings
GP8 Design
GP9 Sustainable development
GP13 Householder Development

Ancillary/Associated Living Accommodation Units – A Guide to Development.
(Planning Advice Note – AN1).

Conclusion/Brief comment:**Legal and policy context:**

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.

It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting protected buildings, to secure so far as possible that the special historic, architectural, traditional or other special characteristics (including setting) are preserved. This duty is reflected in Policy GP5 of the IDP.

Under Section 38 of The Land Planning and Development (Guernsey) Law, 2005 the Authority has a duty to pay “special attention to the desirability of preserving and enhancing the character and appearance” of Conservation Areas. This duty is encapsulated in Policy GP4 (Conservation Areas) which states that “proposals for development within a Conservation Area will be supported where the development conserves and, where possible, enhances the special character, architectural or historic interest and appearance of the particular Conservation Area.”

Policy GP13 (Householder Development) states that proposals for the alteration and/or extension of residential properties within the residential curtilage, will be supported where there are no significant adverse effects on the amenities of neighbouring properties; the design, scale, mass and form would not detract from the open character of open locations; and they do not affect the special interest of Conservation Area, Area of Biodiversity Importance, protected building or protected monument.

Policy GP13 also 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”.

Ancillary living unit:

Whilst the proposed ancillary living unit will be detached from the main house and is sited 26m away from the rear elevation of the property and is of the scale, form and appearance that resembles a new dwelling-house and therefore raises some concerns, the proposal is considered to have a subordinate relationship and

association to the main dwelling due to the limited facilities afforded to the occupiers of the ancillary living unit, together with its relationship to the main house.

The fenestration of the ancillary living unit faces towards the rear elevation of the main house which helps to demonstrate that the proposal will remain as a single planning unit. Also, the rear access point is unlikely to be served by a car due to the restrictive width of St Thomas Village and its awkward configuration around neighbouring properties, and therefore is unlikely to be easily severed from the main house.

In addition, the agent has provided assurances in terms of some shared facilities, garden area, parking area, and utility supplies with the main house which helps demonstrate an ancillary and dependable relationship with the main house. The short term use of the dower unit for close family is also acceptable, with a medium to longer term use for a live-in-carer, i.e. an employee of the family is also acceptable. Consequently, the proposed use of the ancillary living unit should be conditioned accordingly given the size, form and appearance of the accommodation proposed which is akin to a new dwelling-house, coupled with the speculative intension in mind.

However, subject to appropriate conditions, the proposal is sufficient to demonstrate that the proposed ancillary living unit is compliant with Policy GP13 and Advice Note 1 in this instance.

Design:

In terms of design, the proposed ancillary living unit adopts a satisfactory standard of design in terms of its scale, form, mass, siting and materials that relates well to the existing house and surrounding built environment for the purposes of Policy GP8.

Due to the siting, orientation, layout of fenestration, and distance and relationship to neighbouring properties, the proposed ancillary unit will not cause undue harm to the amenities of neighbouring residents when taking into account factors such as overlooking, overshadowing and overbearingness.

The proposal complies with Policy GP8, GP9 and GP13.

Protected buildings and Conservation Area:

Policy GP5 requires a proportionate approach to be taken and any harm to a protected building to be weighed against the reasonable aspirations of the property owner as well as the contribution the development makes to the social and economic benefits and the vitality of the a Main Centre. In this case the aspiration of the property owner is to create a detached ancillary living unit. It is recognised that some social and economic benefits will accrue during the development phase of development, but they will be limited. The development, as a whole, will increase

the facilities and functionality of the dwelling-house, contribute to the existing housing stock and thus will contribute to the vitality of the Main Centre.

Due to the siting of the development coupled with its design, the proposal is not considered to adversely affect the setting of protected buildings, nor have an unacceptable effect on the character or appearance of the Conservation Area, despite being visible in long range public vantage points, particularly from Queens Road.

The proposal complies with Policies GP4 and GP5.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and the Material Planning Considerations. It is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 02/12/25