

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 existing outbuilding, erect single storey outbuilding/ancillary living unit to south-east boundary and erect shed to south-west boundary.

LOCATION: Anguilla, Port Soif Lane, Vale.

APPLICANT: Mr & Mrs J Nussbaumer

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: 22/01/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/11/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: PF+A Ltd: 7926-01 B1, B2 RevB.

Application Ref: FULL/2025/1713

Property Ref: C02338A001

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.

Expiry Date: This permission will cease to have effect on 21/01/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the erection of a detached ancillary living unit, 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.

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/2025/1713
Property Ref: C02338A001
Valid date: 11/11/2025
Location: Anguilla Port Soif Lane Vale Guernsey GY6 8AQ
Proposal: Demolish existing outbuilding, erect single storey outbuilding/ancillary living unit to south-east boundary and erect shed to south-west boundary.

Applicant: Mr & Mrs J Nussbaumer

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).

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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.

INFORMATIVES

For the avoidance of doubt, this decision permits the erection of a detached ancillary living unit, 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.

OFFICER'S REPORT

Brief Description of the site:

The property, known as Anguilla, consists of a detached dwelling-house located to the east of Port Soif Lane. The site sits Outside of the Centres under the Island Development Plan.

Planning permission is sought to erect an ancillary living unit (dower unit) to the rear of the dwelling, adjacent to the south-east boundary. The ancillary living unit will be approximately 50sqm, within a short distance of the main house, and will consist of a kitchenette and living room, shower room and a bedroom. The ancillary living unit will feature a slate finished pitched roof, vertical timber cladding walls, with sliding doors on the north-east elevation. Solar panels are proposed on the south-east elevation.

The application was deferred as concerns were raised in respect of the proposed fenestration on the south-east elevation and the potential impact on the amenities of neighbouring residents. In response, the agent has repositioned the windows and doors to the north-west elevation, facing onto the garden.

The agent has set out in their application that the ancillary living unit will be used by a family member, will have shared facilities and utilities with the host dwelling, will share car parking and the garden, and will have unrestricted access to the principal dwelling.

The application also includes erecting a new shed to the rear of the garden, located adjacent to the south-west and north-west boundary.

Relevant History:

Reference No	Description	Decision	Date
PREA/2025/1534	Erect garden room & shed	Pre-application enquiry	2025
FULL/2016/1315	Demolish existing extension and erect single storey flat roof extension to side and rear of dwelling	Granted	2016

Existing Use(s):

Residential

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

GP9: Sustainable Development

GP13: Householder development

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

Conclusion/Brief comment:

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.

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 of Policy GP13 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”.

Whilst the proposed ancillary living unit will be detached from the main house, 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.

Moreover, the close proximity between the proposed ancillary living unit and the host dwelling, together with the assurances by the agent in terms of some shared facilities, garden area, parking area, and utility supplies with the main house, is sufficient to demonstrate that the proposed ancillary living unit is compliant with Policy GP13 and Advice Note 1 in this instance, subject to the accommodation being used only for purposes incidental to the main dwelling. An informative to this effect should be attached to the decision.

In terms of design, the proposed ancillary unit adopts an acceptable 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 its position, located to the rear of the host dwelling, the proposal will not be highly visible, if at all, from Port Soif Lane.

Due to the single storey nature of the ancillary living unit, together with its form and distance from the boundary, coupled with the blank elevations along the south-east elevation of the proposed ancillary living unit (following the amendments secured), the development is not considered to cause undue harm to the amenities of neighbouring residents, with regards to factors such as overlooking, overshadowing or overbearing.

With regards to the proposed shed, this would raise no objection in terms of its design, siting, visual impact, character of the area, or the effect on neighbouring properties.

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; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 20/01/26

