

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: Extend and alter outbuilding, install air conditioning unit and 2 battery storage units to south-west elevation of outbuilding.

LOCATION: Le Clos Au Comte, Route De La Clos Au Comte, Castel.

APPLICANT: Ms T Mintjens

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: 28/01/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/12/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Naftel Associates: A250601 PD 01, 10 Rev A, Daikin Heating Technical Data report & Powerwall 3 specification sheet

Application Ref: FULL/2025/1810

Property Ref: D001760000

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 study/store, however named, to be used only for purposes incidental and/or 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, or any other Ordinance replacing or re-enacting that Ordinance.

Reason - Due to the internal size and accommodation of the proposed structure, together with its distance from the house, and other outbuildings on site, it is necessary and reasonable to attach a planning condition to this decision to ensure that the outbuilding remains incidental and/or ancillary to the primary use of the dwelling-house (Le Clos Au Comte), and does not become severed from that property, unless planning permission is sought and granted for such a proposal.

5.For the avoidance of doubt, this decision permits the proposed study/store, however named, for personal use by the occupiers of the main dwelling only. It does not permit the creation of a new office for use in connection with a trade or business, 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.

Reason - To restrict the use of the study/store to the personal use of the applicant due to the size, facilities and functional use of the building. The creation of a new office Outside of the Centres would require a separate grant of planning permission and involve different planning policy considerations.

6.Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from

the facade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014+Al:2019.

Reason - To protect the amenities of neighbouring residents.

Expiry Date: This permission will cease to have effect on 27/01/2029 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/2025/1810
Property Ref: D001760000
Valid date: 11/12/2025
Location: Le Clos Au Comte Route De La Clos Au Comte Castel
Guernsey GY5 7QG
Proposal: Extend and alter outbuilding, install air conditioning unit and 2
battery storage units to south-west elevation of outbuilding.
Applicant: Ms T Mintjens

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 study/store, however named, to be used only for purposes incidental and/or 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, or any other Ordinance replacing or re-enacting that Ordinance.

Reason - Due to the internal size and accommodation of the proposed structure, together with its distance from the house, and other outbuildings on site, it is necessary and reasonable to attach a planning condition to this decision to ensure that the outbuilding remains incidental and/or ancillary to the primary use of the dwelling-house (Le Clos Au Comte), and does not become severed from that property, unless planning permission is sought and granted for such a proposal.

5. For the avoidance of doubt, this decision permits the proposed study/store, however named, for personal use by the occupiers of the main dwelling only. It does not permit the creation of a new office for use in connection with a trade or business, 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.

Reason - To restrict the use of the study/store to the personal use of the applicant due to the size, facilities and functional use of the building. The creation of a new office Outside of the Centres would require a separate grant of planning permission and involve different planning policy considerations.

6. Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the facade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014+Al:2019.

Reason - To protect the amenities of neighbouring residents.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a large detached dwelling-house and plot located Outside of the Centres and within an Agriculture Priority Area as designated in the Island Development Plan.

Planning permission was granted in 2020 to erect summer house and raised terrace area to the north-west of the site, application ref: FULL/2020/1418.

Planning permission is sought to extend the outbuilding to create a personal study and store, including creating a kitchenette and day room. The existing shower room and plant room will remain unchanged. The existing outbuilding will be extended to the north, east and south. The large store to the south of the outbuilding has been specially designed not to include fenestration, as a function of the proposed personal use.

The extensions will consist of a single storey roof, featuring aluminium fenestration, with the walls finished in a mix of render, anthracite grey cladding and granite cladding.

Relevant History:

Reference No	Description	Decision	Date
FULL/2020/1418	Erect summer house and raised terrace area.	Granted	2020

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:

GP8 Design
GP9 Sustainable development
GP13 Householder Development

Consultation:

The Office of Environmental Health and Pollution Regulation's comments:

"I have reviewed the proposed plans for Le Clos Au Comte which were received by email on the 16 th December 2025. I recommend that the following condition is attached should the application be approved.

- *Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the facade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014+AI:2019.*

The planning authority should be aware that, for the purposes of this application, the nearest receptor has been identified as the closest property. Should the proposed building to be converted be rented out or established as a separate land parcel, the main dwelling would then become the closest receptor. This change would therefore affect any sound output calculations relating to the proposed air source heat pump and external battery unit."

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.

The proposed extensions adopt a good standard of design. The overall scale, form, massing, siting and materials of the outbuilding is acceptable.

Due to its setback position from the main road together with its single storey design, the proposal will not have a detrimental impact on the character of the area, visual amenity, or the amenities of neighbouring residents. It is however recommended that a condition be imposed to reflect the comments raised by the Office of Environmental Health and Pollution Regulation in the interests of neighbour amenity.

Some concerns are raised over the size of the structure, its functionality, and relationship and distance to the main house, however it has been demonstrated that the structure is for personal use, ancillary to the main house, and this can be controlled by attaching a planning condition to ensure that it remains incidental and/or ancillary to the host dwelling and for the personal use of the applicant, given that the creation of a new office building Outside of the Centres in relation to a trade or business would involve different policy considerations.

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: 21/01/26

