

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 part of dwelling for use as a dog boarding business.

LOCATION: Les Plataines, Mont D`Aval, Castel.

APPLICANT: Samantha Rihoy

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: 14/05/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/02/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Floor Plan, Block Plan (both date stamped 18 Feb 2026)

Application Ref: FULL/2026/0199

Property Ref: D009790000

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 permission allows a maximum of two dogs to be boarded as part of the business as hereby approved at any one time.

Reason - To protect the amenities of neighbouring residents by minimising noise and disturbance associated with the home-based dog boarding business.

5. The agricultural land to the east of the application site shall not be used for any activities related to the dog boarding business whatsoever.

Reason - To protect the amenities of neighbouring residents by minimising noise and disturbance associated with the home-based business and to clearly define the permission.

6. No boarded dogs are permitted to be dropped off, or collected from the site prior to 08:00hrs or after 20:00hrs, Monday to Sunday, including public holidays.

Reason - To protect the amenities of neighbouring residents by minimising noise and disturbance associated with the home-based dog boarding business.

Expiry Date: This permission will cease to have effect on 13/05/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Please note that the decision to grant planning permission is based on the information contained in the applicant's e-mail dated 20th March and 6th May 2026.

This indicates that your proposal involves home working and thus falls within Residential use class 5 of the Land Planning and Development (Use Classes) Ordinance, 2017. This is defined as: 'Use of any dwelling principally as a permanent residence for one household but also, by a member of that household, for professional or business purposes or retail trade or business and carried on in not

more than two rooms but which does not involve - (a) storage of hazardous or odorous materials, (b) a use falling within use classes 26 or 27 or for any general, or special industrial purpose, or (c) any other use which could not be carried on without material detrimental effects on a neighbouring property.'

Any significant change in the way in which the business is run from that described in the above letter may mean that the use no longer falls within Residential use class 5 (use of part of dwelling for business purposes), thus resulting in the need for a separate grant of planning permission.

This permission does not relate to the display of any sign or advertisements. A separate permission will be needed for any such display.

It is recommended that the applicant discusses the matter of the height and integrity of fencing around the property with the Animal Health and Welfare Officer. Please note that any additional fencing may also require a separate grant of planning permission, unless it accords with the provisions set out in the Land Planning and Development (Exemptions) Ordinance (2023), or is regarded as a 'Minor Amendment' to the approved scheme.

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/2026/0199
Property Ref: D009790000
Valid date: 18/02/2026
Location: Les Plataines Mont D`Aval Castel Guernsey GY5 7UQ
Proposal: Change of use of part of dwelling for use as a dog boarding business.

Applicant: Samantha Rihoy

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 permission allows a maximum of two dogs to be boarded as part of the business as hereby approved at any one time.

Reason - To protect the amenities of neighbouring residents by minimising noise and disturbance associated with the home-based dog boarding business.

5. The agricultural land to the east of the application site shall not be used for any activities related to the dog boarding business whatsoever.

Reason - To protect the amenities of neighbouring residents by minimising noise and disturbance associated with the home-based business and to clearly define the permission.

6. No boarded dogs are permitted to be dropped off, or collected from the site prior to 08:00hrs or after 20:00hrs, Monday to Sunday, including public holidays.

Reason - To protect the amenities of neighbouring residents by minimising noise and disturbance associated with the home-based dog boarding business.

INFORMATIVES

Please note that the decision to grant planning permission is based on the information contained in the applicant's e-mail dated 20th March and 6th May 2026.

This indicates that your proposal involves home working and thus falls within Residential use class 5 of the Land Planning and Development (Use Classes) Ordinance, 2017. This is defined as: 'Use of any dwelling principally as a permanent residence for one household but also, by a member of that household, for professional or business purposes or retail trade or business and carried on in not more than two rooms but which does not involve - (a) storage of hazardous or odorous materials, (b) a use falling within use classes 26 or 27 or for any general, or special industrial purpose, or (c) any other use which could not be carried on without material detrimental effects on a neighbouring property.'

Any significant change in the way in which the business is run from that described in the above letter may mean that the use no longer falls within Residential use class 5 (use of part of dwelling for business purposes), thus resulting in the need for a separate grant of planning permission.

This permission does not relate to the display of any sign or advertisements. A separate permission will be needed for any such display.

It is recommended that the applicant discusses the matter of the height and integrity of fencing around the property with the Animal Health and Welfare Officer. Please note that any additional fencing may also require a separate grant of planning permission, unless it accords with the provisions set out in the Land Planning and Development (Exemptions) Ordinance (2023), or is regarded as a 'Minor Amendment' to the approved scheme.

OFFICER'S REPORT

Site Description:

The application site, known as Les Plataines, is located on the south side of Mont D'Aval in Castel. The building is a hipped roof bungalow with large rectangular rear garden which extends approximately 30-40m from the southern elevation of the property, all of which is recognised as domestic curtilage. The field to the east is part of Les Plataines forms part of the land ownership but is recognised as agricultural land.

The site is bounded by residential properties immediately to the west and across the associated field to the east. A former packing shed is located adjacent to the boundary of the agricultural land to the south.

Les Plataines is located Outside of the Centres as designated in the Island Development Plan.

Relevant History:

None.

Existing Use(s):

Residential

Brief Description of Development:

Permission is sought for the change of use to allow part of the dwelling (kitchen and garden) to be used as a dog boarding business (not day care). Operation of the business is proposed as follows:

- The business will be operated by the occupier of the house;
- The occupant has 3 dogs, kept in the house in the kitchen and lounge;
- A maximum of 6 dogs will be boarded at any one time;
- Boarded dogs will have access to the kitchen where crates will be located for sleep/rest and back garden.

Following deferral the applicant has provided the following additional comments:

- 6 boarding dogs is the maximum at any one time, normally it would be 2-3;
- Dogs have free access to the garden when the applicant is present;
- The garden is enclosed with fencing/hedging;
- No set times for drop off/collection, not early or after 8pm;

- The business is only operated by the applicant, if they have to be away from the premises for more than an hour, a relative sits with the dogs. Cameras are installed in the relevant parts of the house;
- Dogs are inside and night and whenever the applicant is absent;
- Dogs sleep in crates with wooden sides and tops;
- Windows in the west side of the house are not opened.

The applicant has confirmed that the number of dogs associated with the business will be reduced from three dogs to two dogs as confirmed in the e-mail dated 06th May 2026. This is set out and discussed below.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

GP8 Design
 GP9 Sustainable Development
 GP14 Home Based Employment
 IP9 Highway Safety, Accessibility and Capacity

Representations:

One letter of representation received raising the following points:

- Disturbance from dogs, including barking and escaping into garden, have already been experienced by neighbour. This suggests the existing fencing is not sufficient to enclose dogs and poses a risk to children and animals on the adjacent property;
- Dogs are being kept outside in kennels while the owner is away from the property (unclear if these are boarding dogs or pets), causing barking and nuisance to neighbour. The owner is often away from the property for long periods during the day and boarding will exacerbate this;
- Although the owner does have parking, people often stop on the road on a blind bend, blocking visibility from traffic on the road and exiting adjoining properties;
- Accumulation and management of waste from multiple dogs, including runoff from cleaning kennels, resulting in a risk of odours and potential pest issues.

Consultations:

Original comments:

The Office for Environmental Health and Pollution Regulation commented on the application as initially submitted as follows:

I am currently of the opinion that there is currently insufficient information within this application for myself to comment on.

I would request that the following information is provided:

1. Number of dogs housed at any one time
2. Times that dogs will have access to outside areas
3. Confirmation that the field to the east (under applicants' ownership and within curtilage) will not be used as part of the dog boarding business
4. Arrangements for drop off and collection times and whether they will be at set times
5. Confirmation that a staff member will be in attendance at all times whilst dogs are present
6. Confirmation that all dogs will be housed within the property at night-time

This department requires that a Noise Management Plan is drawn up which should include statements relating to, but not limited to, the following:

1. Any planned alterations to the fabric of the building to reduce noise impact on neighbours
2. Confirmation that cage/kennel design being considered is the most effective at reducing possible noise impact on neighbours
3. Confirmation of plans for continuous active consultation with neighbours
4. Staggered exercise times to reduce the number of dogs in the exercise area at any one time
5. Proposed exercise hours
6. Measures that could be implemented post commencement of business to reduce noise impact on neighbours

The Animal Health and Welfare Officer's comments:

We couldn't see the height of the fencing enclosing the area where the dogs will be exercised. I am not sure if there is a planning limit to this or if they can apply for higher fencing to prevent customer's dogs escaping; that is a nasty corner.

We would have comments on the layout of the inside of the house e.g. a line of crates in the kitchen, but I suspect this is something we must broach with your client directly once they apply for a Boarding Licence. As we haven't commenced this licensing yet, we do not have set conditions but they will be loosely based on the UK version, with a proportionate Guernsey tweak.

<https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities/home-boarding-for-dogs-licensing-statutory-guidance-for-local-authorities>

Revised comments:

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

I write in respect of the above application and additional information that was sent to this department via email on the 24th March 2026. This email followed a letter sent by myself in respect of the planning application on the 25th February 2026.

I request that the following conditions are applied to the application should it be approved.

1. A maximum of three dogs is permitted to be boarded as part of the business at any one time.
2. All dogs kept at the property only have access to the outside area only when someone is present in the property.
3. The field to the east is not be used for activities related to the boarding business.
4. No boarded dogs are permitted to be dropped off or collected either before 8am or after 8pm Monday to Sunday.

It is recommended that the applicant discusses the matter of the height and integrity of fencing around the property with the States of Guernsey Veterinary Office.

The Animal Health and Welfare Officer's comments:

When we proceed with the licensing of home boarding, we will refer to the UK statutory guidance on fencing requirements. There is no prescriptive minimum fence height set in the guidance. Instead, "fencing must be strong, rigid, in good repair, and escape-proof and dig-proof."

In practice, the fence must ensure the safety and security of the dogs, and what is considered suitable will depend on the specific dogs being boarded. For example, a 1.8m fence may still be inadequate if it is poorly designed and could give a false sense of security especially as it's not just about going 'over' but underneath the fence too. As such, we would not specify a required fence height; rather, we expect fencing to be secure and prevent escape i.e. "be strong, rigid, in good repair, and escape-proof and dig-proof."

Summary of Issues:

- Whether the proposed business is acceptable in this location?
- Whether the development would have a significant detrimental impact on the amenities of neighbouring properties?
- Whether the proposed vehicle access point is acceptable and would not negatively impact on highway safety?

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

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.

With regards to Policy GP14 (Home Based Employment), the IDP generally supports the use of part of a dwelling, or the conversion or erection of a building within the curtilage of a dwelling, for the purpose of a business carried out by the occupier where the principal use of the site will clearly remain residential use by the occupier, the use will not lead to any unacceptable detrimental impacts on the amenity of the area or the amenities of nearby residents and the proposal accords with all other relevant policies.

Based on the information submitted, the applicant has confirmed that the proposed business will be operated by the homeowner, and that the boarding business will house two-three dogs at any given time. Consequently, the number of dogs associated with the business is regarded as a small-scale homebased business for the purposes of Policy GP14.

The property features sufficient parking provision to the front of the property to accommodate additional vehicular parking and comings and goings associated with the business, and is not considered to result in any obvious highway safety or traffic management concerns that would be material to this decision. For the avoidance of doubt, any fencing to the front of the property that does not constitute exempt development would require a separate grant of planning permission, in which its suitability on highway safety would be considered.

However, notwithstanding the small-scale nature of the business, it is acknowledged that the applicant also owns three dogs, which would equate to potentially 6 dogs being present at the property. The concentration and mix of personal dogs and dogs associated with the business is likely to cause harm to the amenities of neighbouring residents unless the number of dogs associated with the business is restricted by condition.

Whilst it is acknowledged that *the Office for Environmental Health and Pollution Regulation* have requested that all dogs kept at the property only have access to the outside area only when someone is present in the property; it would be considered impractical to enforce this as a planning condition. Attaching such condition would create monitoring issues to ensure that someone is present at the property when the dogs are able to use the garden. This level of monitoring could fluctuate on a

daily basis depending how often the dogs associated with the business use the garden. Also the condition wouldn't differentiate between personal dogs or commercial boarded dogs, and just because someone is present in the property, doesn't automatically ensure that the dogs would be managed correctly in attempt to minimise noise and disturbance to neighbours. For these reasons, this recommendation cannot be attached as a condition.

While the principle is supported under Policy GP14, concerns are raised over the close proximity and relationship between the application site and the neighbouring property to the west, coupled with the inability to attach a condition to control when and how the boarded dogs use the external amenity space. It is therefore considered necessary and reasonable to reduce the number of dogs associated with the business from three dogs to two dogs in order to manage the development, and ensure that the effects of the proposal would not cause unacceptable harm to the amenities of neighbouring residents. This will ensure that the level of amenity that neighbouring residents could reasonably expect to enjoy is not undermined given the limited distance to neighbouring properties, particularly as the Authority cannot attach all of *the Office for Environmental Health and Pollution Regulation's* recommendations for the reasons set out above. In light of these concerns, the applicant has agreed that the number of dogs associated with the business will be reduced to two dogs as confirmed in the e-mail dated 06th May 2026.

It is considered necessary and reasonable to attach all other conditions recommended by *the Office for Environmental Health and Pollution Regulation*. An informative in respect of fencing, as raised by the Animal Health and Welfare Officer, should also be attached to the decision.

On this basis and subject to appropriate conditions, the proposed business operation is unlikely to result in an unacceptable effect on the character of the area, or the amenities of neighbouring residents, as a result of the increased activity, disturbance and noise associated with the dog boarding business.

The Authority has taken into account the points raised in the representation received and where appropriate is set out above. The management of waste and odours as result of housing multiple dogs is not a measure that is controlled by Planning and therefore is not a material planning considerations as defined in The Land Planning and Development (General Provisions) Ordinance, 2007), although may require consideration under separate legislation that does not fall under the remit of the Development and Planning Authority.

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.

Date: 11/05/26

