

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 wall and hedge, erect wall and pillars, widen and alter vehicle access.

LOCATION: Treetops, Les Grippios, Vale.

APPLICANT: Mr & Mrs Rhodes

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: 16/09/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/06/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners Ltd. - 10798 LOA AB16ZZ D A 0100, 0200.

Application Ref: FULL/2025/1007

Property Ref: C004890000

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.Prior to construction of the replacement wall, the type, colour, texture and method of laying of the stonework shall be submitted to and agreed in writing by the Authority.

Reason - in the interests of visual amenity and to conserve the character and appearance of the Conservation Area.

5.Prior to construction of the replacement wall, large-scale drawings (1:10 elevations and sections) of the concrete capping shall be submitted to and agreed in writing by the Authority.

Reason - to ensure that the capping is well-proportioned and appropriate to the proposed wall, in the interests of visual amenity and to conserve the character and appearance of the Conservation Area.

6.Within 2 months of the existing earthbank forming the north boundary being demolished, the replacement wall shall be erected in accordance with the approved details on drawing no. 0100 and 0200.

Reason - to ensure that the development is completed within a reasonable timeframe in the interests of visual amenity and to conserve the character and appearance of the Conservation Area.

Expiry Date: This permission will cease to have effect on 15/09/2028 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/2025/1007
Property Ref: C004890000
Valid date: 23/06/2025
Location: Treetops Les Grippios Vale Guernsey GY3 5NH
Proposal: Demolish wall and hedge, erect wall and pillars, widen and alter vehicle access.

Applicant: Mr & Mrs Rhodes

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. Prior to construction of the replacement wall, the type, colour, texture and method of laying of the stonework shall be submitted to and agreed in writing by the Authority.

Reason - in the interests of visual amenity and to conserve the character and appearance of the Conservation Area.

5. Prior to construction of the replacement wall, large-scale drawings (1:10 elevations and sections) of the concrete capping shall be submitted to and agreed in writing by the Authority.

Reason - to ensure that the capping is well-proportioned and appropriate to the proposed wall, in the interests of visual amenity and to conserve the character and appearance of the Conservation Area.

6. Within 2 months of the existing earthbank forming the north boundary being demolished, the replacement wall shall be erected in accordance with the approved details on drawing no. 0100 and 0200.

Reason - to ensure that the development is completed within a reasonable timeframe in the interests of visual amenity and to conserve the character and appearance of the Conservation Area.

OFFICER'S REPORT

Brief Description of the site:

The application site, known as 'Tree Tops', consists of a detached dwelling located to the south of Hougue du Moulin. The property is located in Bordeaux Conservation Area as designated in the Island Development Plan.

The application seeks permission to replace the roadside boulder wall and earthbank with a stone retaining wall and gate piers, finished with a painted concrete-capping on top.

Relevant History:

PREA/2025/0414	Resurface driveway, remove earth bank and erect roadside boundary wall.	Pre-application enquiry
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Existing Use(s):

Residential

Assessment: *(Tick as appropriate)*

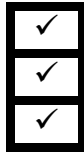
no representation



visual amenity acceptable



accords with policy
within curtilage
design acceptable



no material neighbour impact
traffic not affected



Policies considered most relevant:

GP4 Conservation Areas
GP8 Design
GP9 Sustainable development
GP13 Householder Development
IP9 Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

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.

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.”

With regards to the landscape character, the landform in question is relatively low-lying, climbing slowly inland from the harbour then sharply upwards into hougues. Tranquil lanes wind away from larger roads and provide a strong sense of enclosure in the form of dry stone and boulder walls, more formal walls, hedgerows and trees. Different boundaries represent differing land uses. Typically, formal walls bound sites with an early history of residential use, whereas boulder walls tended to be constructed to enclose fields. Thus, boundaries give clues as to the early use of land parcels.

Many buildings within the Conservation Area are of architectural and/or historic merit, including Tree Tops which is at the bottom of the hougue upon which stands the Vale Mill. An informal boulder and rubble wall backed by an earthbank forms the roadside boundary of Tree Tops denoting its use prior to construction of the house during the early 20th Century. The roadside boundaries of neighbouring residential buildings tend to be of formal stonework with rubble and similar boulder walls occurring further along the lanes. Roadside boundaries are important links within the Conservation Area despite the age of buildings behind them.

Consequently, the roadside boundary of Tree Tops makes a positive contribution to the character, architectural interest, historic interest and appearance of the

Conservation Area and so Policy GP4 requires that any replacement boundary proposed makes an equal or enhanced contribution to the Conservation Area.

The agent's Planning Design Statement considers the proposed development in the context of the Bordeaux Conservation Area. In line with the Summary of Special Interest set out in Annex VII of the IDP it identifies 20th century buildings, which include Tree Tops, as providing important links between older clusters of buildings. The importance of roadside boundaries and opportunities for their enhancement is also noted in the context of repair, maintenance and refurbishment and not in the context of replacement.

It is the opinion of the applicant and agent that the roadside wall has deteriorated and is now "an uneven, rough boundary earth bank" and that Tree Tops itself has its own distinctive character. The replacement wall has been designed to reflect boundaries of neighbouring buildings (most notably that of the property to the north east on the opposite side of Les Grippios) and, in their opinion, improves the character and appearance of the lane.

Due to the predominance of formal stone walls in this part of the Conservation Area, the replacement formal walling is considered to accords with Policy GP4 as it represents a neutral effect for the purposes of Policy GP4 when taking into account its design and balanced the reasonable aspirations of the property owner. It is considered that more important boulder walls are clustered elsewhere, including at the top of the Hougue du Moulin.

Appropriate conditions regarding the resultant appearance of the stonework and capping should be attached to the decision, and shall be carried out within a reasonable timeframe.

Whilst higher than the majority of the uneven stone-faced earth bank, the proposed wall development is not considered to cause unacceptable harm in terms of highway safety or traffic management when taking into account low traffic speeds and volumes along Hougue du Moulin.

The replacement permeable hard-surfaced front driveway is acceptable.

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: 15/09/25

