

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: Remove hedge and erect a wall to north (roadside) boundary.

LOCATION: Waratah, Rue Des Marais, Vale.

APPLICANT: M & J De La Rue

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: 08/09/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/07/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block plan (dated 04/07/25), annotated aerial photo and annotated photo (both dated 22/07/25).

Application Ref: FULL/2025/1122

Property Ref: C02235A000

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.The wall hereby approved shall be constructed to match the example photograph provided within 3 months of the date of removal of the existing hedge and earthbank.

Reason - To secure the satisfactory completion of the development in a timely manner.

5.Details of the position, number and type of plants to be planted in place of the existing hedge are to be submitted to and agreed in writing by the Authority. The plants should be planted in the first planting season following completion of the wall.

Reason - To ensure that a satisfactory form of development is achieved and to mitigate impacts on biodiversity.

Expiry Date: This permission will cease to have effect on 07/09/2028 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/2025/1122
Property Ref: C02235A000
Valid date: 22/07/2025
Location: Waratah Rue Des Marais Vale Guernsey GY6 8AX
Proposal: Remove hedge and erect a wall to north (roadside) boundary.

Applicant: M & J De La Rue

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. The wall hereby approved shall be constructed to match the example photograph provided within 3 months of the date of removal of the existing hedge and earthbank.

Reason - To secure the satisfactory completion of the development in a timely manner.

5. Details of the position, number and type of plants to be planted in place of the existing hedge are to be submitted to and agreed in writing by the Authority. The plants should be planted in the first planting season following completion of the wall.

Reason - To ensure that a satisfactory form of development is achieved and to mitigate impacts on biodiversity.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Waratah' is a 1970's one and a half storey dwelling which is set back from and faces north onto Rue des Marais. There are neighbouring properties to the east and west and across the road to the north, to the south are neighbouring gardens. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2025/1131 – Teewah, Rue des Marais (next door neighbour) – Alter roadside boundary and relocate vehicle access to north (roadside) boundary, remove hedge and erect fence to section of east boundary – Approved September 2025.

FULL/2022/0535 – Remove hedge and erect fence to east boundary – Approved April 2022.

Existing Use(s):

Residential use class 1: dwelling house.

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

GP13: Householder Development

Conclusion/Brief comment:

This application is to remove the overgrown hedge and small earthbank and erect a 600mm high granite wall to match that approved to the west. The existing vehicular entrance will remain in the same place at the same width.

The main reason for the hedge removal is to improve highway safety and extend the sightlines for the householders. In addition, the neighbours are moving their vehicular entrance to the centre of their front boundary, and this will form a continuation of that wall.

As there is not only a hedge being removed but also a small earthbank, the applicants have agreed to plant two to three shrubs behind the wall to maintain some biodiversity in this part of the site. Details of which can be submitted via a condition.

The majority of roadside boundaries are made up of some hedging, and/or low granite walls, which means the alterations to the front of Waratah and Teewah will assimilate into the surrounding area.

The proposals are considered to achieve a good standard of design, using materials which complement the existing materials. The scale and massing of the new wall is not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it have any impact on either of the immediate neighbours.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

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.

Recommendation:

Grant with Conditions



Date: 04/09/2025

