

**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:** Variations to previously approved plans to demolish and rebuild dwelling and extend domestic curtilage - Alterations to landscaping scheme.

**LOCATION:** Sous Les Arbres, La Rue Du Hamel, Castel.

**APPLICANT:** Mr & Mrs Cohen

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:** 19/09/2025

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 23/07/2025 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** DLM Architects - 1112\_4D, 6D

**Application Ref:** FULL/2025/1180

**Property Ref:** D000630000

**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 permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 03/11/2020, issued under planning application reference FULL/2020/1121, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

3.The landscaping scheme shall be fully completed, in accordance with the approved details, in the first planting season following the removal of the roadside trees (the subject of this application). Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To ensure that the replacement trees and associated landscaping is implemented within a reasonable timeframe to help assimilate the dwelling into its surroundings.

**Expiry Date: This permission will cease to have effect on 18/09/2028 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](http://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](mailto: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/2025/1180  
**Property Ref:** D000630000  
**Valid date:** 23/07/2025  
**Location:** Sous Les Arbres La Rue Du Hamel Castel Guernsey GY5 7QJ  
**Proposal:** Variations to previously approved plans to demolish and rebuild dwelling and extend domestic curtilage - Alterations to landscaping scheme.  
  
**Applicant:** Mr & Mrs Cohen

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 03/11/2020, issued under planning application reference FULL/2020/1121, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation only.

3. The landscaping scheme shall be fully completed, in accordance with the approved details, in the first planting season following the removal of the roadside trees (the subject of this application). Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To ensure that the replacement trees and associated landscaping is implemented within a reasonable timeframe to help assimilate the dwelling into its surroundings.

## **OFFICER'S REPORT**

### **Site Description:**

The site is located Outside of the Centres in the Island Development Plan, and is within an Agriculture Priority Area.

Sous Les Arbres comprised a low profile single storey hipped roof bungalow located to the north-east of La Rue du Hamel. The dwelling is set below the level of the road, and the land falls away steeply to the north and north-east. The dwelling is visible in long views from the coastal road.

The property is bounded by open land to the north, east and south-east and is set against established tree cover on the rising land to the south and south-west. The property is bounded by a residential property to the north-west, which comprises a contemporary dwelling constructed in 2010.

Planning permission was granted in 2020 to erect a replacement dwelling as well as extending the domestic curtilage of the property.

Permission was granted in 2023 to vary the permission (FULL/2020/112) by widening and altering the vehicle access towards the south of the site, and to alter the hardstanding and landscaping to the front of the property. Permission was granted to remove the majority of the existing trees parallel to the roadside and to plant a replacement hedgerow interspersed with various trees. The permission has been implemented as the replacement granite roadside wall has been constructed in accordance with the approved plans.

### **Relevant History:**

|                |                                                                                                                                                                                                                                     |         |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| FULL/2023/0049 | Variation to previously approved plans to demolish and rebuild dwelling and extend domestic curtilage - Widen and alter vehicle access (field gated access), alter hardstanding/landscaping and demolish and rebuild roadside wall. | Granted |
| FULL/2020/1121 | Demolish and rebuild dwelling and extend domestic curtilage                                                                                                                                                                         | Granted |

### **Existing Use(s):**

Residential

### **Brief Description of Development:**

Planning permission is sought to vary the permission (FULL/2020/1121) to alter the soft landscaping to the front and rear of the property. The proposal includes replacing certain plant species with others.

It is understood that majority of the proposed soft landscaping along the roadside boundary wall has been planted.

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

GP1 Landscape character and open land  
GP7 Archaeological remains  
GP8 Design  
GP9 Sustainable Development  
GP13 Householder Development  
GP15 Creation and extension of curtilage  
OC5(A) Agriculture Outside of the Centres – within the Agriculture Priority Areas  
IP7 Private and communal car parking

### **Representations:**

The Authority has received a letter of representation from one party objecting to the proposal. Grounds for objection principally relate to the following issues:-

- Limited bio-diversity gain as the majority of planting is ornamental.

### **Consultations:**

None.

### **Summary of Issues:**

- Whether the design of the proposed development is acceptable.
- The impact of the development on the character and appearance of the area.

### **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.

As stated in the planning officer's report of the original application (FULL/2020/1121) the trees parallel to the roadside help to maintain the landscape backdrop in long distance views from the coast and therefore are an integral part of the site and help to assimilate the development into the landscape:

*"The trees on site are not however protected and this work would not have required planning permission. The majority of the trees to the south-west and south-east of the dwelling however remain, maintaining the landscape backdrop in views from the coast.*

*Views from the adjacent Rue du Hamel to the south are limited by the tree and vegetation cover along the south-west boundary and on adjacent land, and, combined with the single storey nature and low profile of the existing building, and the lower ground levels on site, the impact of the existing building is limited. This neutral impact is however slightly undone by the materiality and design of the conservatory."*

In light of the proposed amendments to the soft landscaping scheme, the proposal will achieve a satisfactory backdrop when viewed in long distance views from the coast and from other vantage points, once matured, and therefore will help to assimilate the development into the landscape.

The changes to the soft landscaping species are negligible to that previously approved and will achieve a satisfactory biodiversity enhancement when viewed in the round.

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

**Date:** 18/09/25