

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 agricultural land to domestic garden (2,663sqm).

LOCATION: Land at Rue des Marais, Les Marais Lane, Vale.

APPLICANT: Mr & Mrs R & D Scholes

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: 09/01/2026

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

Drawing Nos: Location Plan, Block Plan and Landscaping Plan.

Application Ref: FULL/2025/1708

Property Ref: C00405A000+C00405B000+C00403A000

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 landscaping scheme shall be fully completed, in accordance with the details provided in the submitted Landscaping Plan, in the first planting season following the date of this permission (by 31st March 2027), or in accordance with a programme previously agreed in writing by the Authority. The meadow areas shall be protected and maintained appropriately for a minimum period of 5 years.

Reason: To provide biodiversity enhancements in line with the Strategy for Nature SPG.

4.Prior to its installation, details of the proposed bug hotel shall be submitted to and agreed in writing by the Authority by the 31st December 2026.

Reason - To secure appropriate biodiversity enhancements.

Expiry Date: This permission will cease to have effect on 08/01/2029 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The applicant is advised that there is potential for a contamination on this land due to its former use as a growing site and the historical presence of glasshouses. There is therefore potential for contamination should the site be used for growing consumables.

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/2025/1708
Property Ref: C00405A000+C00405B000+C00403A000
Valid date: 11/11/2025
Location: Land at Rue des Marais Les Marais Lane Vale Guernsey
Proposal: Change of use of agricultural land to domestic garden (2,663sqm).

Applicant: Mr & Mrs R & D Scholes

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.

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Reason: To provide biodiversity enhancements in line with the Strategy for Nature SPG.

4. Prior to its installation, details of the proposed bug hotel shall be submitted to and agreed in writing by the Authority by the 31st December 2026.

Reason - To secure appropriate biodiversity enhancements.

INFORMATIVES

The applicant is advised that there is potential for a contamination on this land due to its former use as a growing site and the historical presence of glasshouses. There is therefore potential for contamination should the site be used for growing consumables.

OFFICER'S REPORT

Brief Description of the site:

The site is located to the south of Les Marais Lane, and comprises of a section of land which is surrounded by residential development to the north, east, and part of the western boundary, with a redundant glasshouse site to the south.

The land has historically been used as a garden by the occupants of Rugenpark which adjoins the east of the site. It is now proposed to formalise this and change the use of the agricultural land to domestic garden.

The site is located Outside the Centre as designated in the Island Development Plan (IDP).

Relevant History:

N/A

Existing Use(s):

01 Dwelling houses

Consultations:

The Office for Environmental Health and Pollution Regulation have made the following observation:

There is potential for contamination on this land due to its former use as a growing site and the historic presence of glasshouse. Should the application intend to grow consumables on this land I recommend they consider the potential for contamination and the associated risks.

Representation:

One letter has been received from La Societe who have raised concern regarding the re-classification of agricultural land as gardens and note that the land has been managed sympathetically in the past with various existing features to support biodiversity although there are no new proposals to provide enhancements to this.

Assessment: *(Tick as appropriate)*

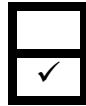
no representation
accords with policy

☐
☒

visual amenity acceptable
no material neighbour impact

☒
☒

within curtilage
design acceptable



traffic not affected



Policies considered most relevant:

GP1- Landscape Character

GP15- Extension and creation of curtilage

Conclusion/Brief comment:

Planning permission is sought to change the use of agricultural land to form part of the domestic garden for the property Rugenpark.

The proposal falls to be considered principally under Policies GP15 and GP1 of the Island Development Plan.

The area of land is not located within an Agriculture Priority Area and is situated between residential development on Les Marais Lane to the north and La Blanche Hirondelle to the east. The boundaries of the site are clearly defined, and the application does not require any established boundary features to be removed in connection with the change of use of the land and the land is not identified as being situated within an Area of Biodiversity Importance.

The Island Development Plan recognises there is a balance between protecting open and agricultural land and other legitimate uses Outside of the Centres. The designation of the Agriculture Priority Area represents the Island's most valuable agricultural area. In this instance, given that the land is outside of the Agriculture Priority Area, the balance would not be towards protecting this land for agricultural purposes.

With regard to the impact on neighbouring properties, the proposal involves a change of use of an area of land to be included and managed as part of the residential curtilage and given the location of the land in relation to neighbouring residential properties, with the existing boundary screening to separate the land from the neighbouring properties, the proposed change of use should not of itself have an adverse impact on or affect their amenities.

It is considered that the change of use would accord with Policy GP15 a)- e) and, provided that the proposal accords with all other relevant policies of the IDP, the principle of change of use to domestic curtilage is considered to be acceptable in this particular location.

Policy GP1: Landscape Character and Open Land seeks to ensure that proposals do not result in the unacceptable loss of distinctive features that contribute to the wider landscape character and the local distinctiveness of the area.

Although the site is undeveloped, given its setting, with established site boundaries and adjacent developments, the proposed change of use and management of the

land as domestic garden would not undermine the wider landscape character or the openness of the area as the landscape is not significantly rural or open in character.

Although the site is not located in an Area of Biodiversity Importance, in line with the States' Strategy for Nature, 2020, which has been adopted as Supplementary Planning Guidance, the application must be accompanied by information demonstrating environmental benefits in respect of biodiversity that will be incorporated should planning permission be granted. This should relate to biodiversity benefits within the proposed area of domestic garden.

Since acquiring the land the applicants have introduced a number of biodiversity enhancements including a pond, meadow, woodland and wetland areas. Additional information has been provided by the applicants to demonstrate further enhancements including management of the current meadow and grass area by cutting twice a year, the introduction of a new bug hotel, and new meadow area in the former vegetable beds, to be sown with native seeds.

These proposals will provide additional opportunities for biodiversity and are sufficient when considered with the existing comprehensive enhancements which have been undertaken throughout several years, subject to a condition ensuring that additional information relating to the proposed bug hotels is submitted, and that the management of the meadow and woodland areas are completed in accordance with the information submitted, the scheme accords with the aims of the Strategy for Nature.

Environmental Health have noted that the site is a former glasshouse site and so the land may be contaminated from the previous use. An appropriate informative note has been applied to the consent to notify the applicants of this risk.

In view of the above and subject to the suggested conditions and informative, it is recommended that planning permission is granted for the proposed development. 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: 08/01/2026