

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: Rebuild retaining douit wall to north and north-west of property (Protected Monument) (part retrospective).

LOCATION: Le Hurel House, Rue De La Greve, Vale.

APPLICANT: Ms Khadeeja Emmerson

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: 13/03/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 30/01/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Block Layout Plan (dated 30/01/26).

Application Ref: FULL/2026/0141

Property Ref: C015580000

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.

Expiry Date: This permission will cease to have effect on 12/03/2029 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/2026/0141
Property Ref: C015580000
Valid date: 30/01/2026
Location: Le Hurel House Rue De La Greve Vale Guernsey GY3 5AE
Proposal: Rebuild retaining douit wall to north and north-west of property (Protected Monument) (part retrospective).

Applicant: Ms Khadeeja Emmerson

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.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'Le Hurel House' is a pre-1900's dwelling which is located in the northwest corner of the site, a douit runs along the north boundary, which is a Protected Monument. Rue de la Greve runs along the west boundary, and there are open fields to the south and east. The property is located Outside of the Centres as defined in the Island Development Plan.

Relevant History:

FULL/2025/1306 – Rebuild retaining douit wall to north and northwest of property (Protected Monument) (part-retrospective) – Withdrawn December 2025.

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:

GP4: Conservation Areas
GP6: Protected Monuments
GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Conclusion/Brief comment:

This application is to rebuild south side of Le Marais Douit wall which runs along the north and northwest of the property, the application is part retrospective and is regarding a Protected Monument.

The protected monument of Le Marais Douit encompasses "The whole of the section... of the Marais Stream structure including stone culvert, bridges, steps, wall and pavement...". The Summary of Significance notes that the "culvert and associated construction (bridges, steps, paving and above ground walling) is of high archaeological, historic and traditional interest, and is an unusual and early example of public works".

The douit wall had failed due to excessive water run off from the adjacent land, it was rebuilt without cement, but failed again a short time afterwards, it was then the applicant's builders rebuilt the wall using the original stone but also bedded it with cement. However the cement was liberally applied and the finished result was extremely messy – which had resulted in an adverse effect on the archaeological, historic and traditional special interest of the protected monument and the setting of its neighbouring parts.

There is a presumption against development that affects a protected monument or its setting, as set out in the Law (2005) and the Special Controls Ordinance (2007). This includes demolition or partial demolition. Such alterations may only be supported where the structure is unsound and incapable of repair and represents a danger to the public.

In this instance, the alterations were undertaken as the wall had collapsed. Reinstatement was required to maintain the protected monument. The principle of this action of reinstatement is supported.

Since then remedial works have been undertaken which have removes a substantial amount of the visible concrete and given the appearance that stonework has be laid dry. This approach meets Policy GP6. This will be the method that the remaining part of the south douit wall within ownership of Le Hurel House will be repaired.

Le Marais Douit runs through the Vale Church Conservation Area and plays an important role in the historic management of water in Le Clos du Valle. For much of its length, the douit is made up of un-mortared, near-vertical walls of middling-sized stone which retain the earth behind. Occasional boulders are evident and larger stones can be seen spanning the width of the open douit from several places within the Conservation Area.

Demolition of the wall came about as the result of a collapse and was not a deliberate act. Nevertheless, the douit walls are a feature that contributes positively to the character, architectural and historic interest or appearance of the Conservation Area. Mitigation measures, which have entailed removal of visible concrete and insertion of additional stones, means that the alterations now make an equal contribution to that character and Policy GP4 is met.

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: 09/03/2026



