

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 section of roadside bank and wall and erect retaining wall to south-west boundary (revised scheme).

LOCATION: La Petite Hure, Rue Tonnelle, St. Martin.

APPLICANT: Lee Barton Ltd

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: 11/06/2026

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 27/04/2026 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton Architects - 2481 03.21B

Application Ref: FULL/2026/0693

Property Ref: J011330000

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.Within 2 months of the existing boundary wall being demolished, the replacement granite wall hereby approved shall be constructed to match as closely as possible to the type, colour, texture, method of bonding and pointing of the existing stone, in accordance with the approved details on drawing no. 03.21B.

Reason - In the interests of visual amenity and to ensure that the works are completed in a timely manner.

5.The surface of the road where disturbed and/or created shall be finished in tarmac to match the remainder of the road (Val Au Bourg), in accordance with the approved details, within 2 months of the roadside earth bank and wall being demolished.

Reason - In the interests of visual amenity and to ensure that the surface of the road is completed within a reasonable timeframe, where disturbed.

Expiry Date: This permission will cease to have effect on 10/06/2029 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/2026/0693
Property Ref: J011330000
Valid date: 27/04/2026
Location: La Petite Hure Rue Tonnelle St. Martin Guernsey GY4 6EP
Proposal: Remove section of roadside bank and wall and erect retaining wall to south-west boundary (revised scheme).

Applicant: Lee Barton Ltd

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. Within 2 months of the existing boundary wall being demolished, the replacement granite wall hereby approved shall be constructed to match as closely

as possible to the type, colour, texture, method of bonding and pointing of the existing stone, in accordance with the approved details on drawing no. 03.21B.

Reason - In the interests of visual amenity and to ensure that the works are completed in a timely manner.

5. The surface of the road where disturbed and/or created shall be finished in tarmac to match the remainder of the road (Val Au Bourg), in accordance with the approved details, within 2 months of the roadside earth bank and wall being demolished.

Reason - In the interests of visual amenity and to ensure that the surface of the road is completed within a reasonable timeframe, where disturbed.

OFFICER'S REPORT

Site Description:

The property known as 'La Petite Hure' is a mid-twentieth century bungalow, which sits in the middle of the plot.

Val au Bourg lane comes down from the north, and winds around the west and south of the property. Towards the south-west corner of the site, the site is bounded by an earthbank and features a low level, granite retaining wall.

The vehicular access lies to the north-west of the site.

The land falls in a north-south direction. The neighbouring dwelling to the north (some 50 metres away) is at a slightly higher level, with neighbouring properties to the south and west at a lower level.

The agricultural field to the east of the dwelling also falls under the same ownership.

The dwelling is located Outside of the Centres as defined in the Island Development Plan. The agricultural field to the east lies within an Agriculture Priority Area.

Planning permission was refused last year (2025) to remove a section of the roadside earth bank and wall and to erect a retaining wall to the south-west boundary, for a temporary period of time, in order to facilitate neighbouring development (under application ref: FULL/2025/1333). The reason for refusal was based on the following point:

- 1. The demolition of a section of the traditional roadside wall and earthbank in order to widen the road together with the replacement rendered blockwork roadside wall, would result in the unnecessary loss of a distinctive*

feature that positively contributes to the character and local distinctiveness of the area. The replacement wall by virtue of its design would have an adverse effect on the character of the surrounding rural environment. The proposal fails to comply with Policy GP1 (Landscape Character and Open Land) and GP8 (Design).

Relevant History:

Reference No	Description	Decision	Date
FULL/2025/1333	Remove section of roadside bank and wall and erect retaining wall to south-west boundary for temporary period.	Refused	2025
FULL/2025/0990 J013140000+J011410000 La Jaoniere	Demolish dwelling. Erect replacement dwelling, erect single storey outbuilding, infill existing vehicle access, create relocated gated vehicle access and associated works. Change of use of agricultural land to domestic garden (1,188sqm)	Granted	2026
FULL/2024/2007 J011330000 La Petite Hure	Remove section of earth bank to widen vehicle access and erect gates to west (roadside) boundary.	Granted	2005

Existing Use(s):

Residential.

Brief Description of Development:

It is proposed to remove a section of the existing earth bank and retaining wall and erect an 800mm high rendered blockwork retaining wall. The area of works focuses on a 13m length section of the earthbank which is proposed to be cut back and tapered in order to widen the road. Unlike the previous application, this application is on a permeant basis.

As set out in the agent's letter of 21st April, "Along Val au Bourg there are a number of very tight, sometimes 90 degree bends. The last bend leading to La Jaoniere is particularly tight and proves difficult for most commercial vehicles to access La Jaoniere. This is of concern regarding the construction of the new dwelling subject to planning permission. In order to reduce the impact of this 'pinch-point', our client would like approval to carefully remove the boundary wall in this position and create a new realigned wall as indicated on the proposal drawings. It is our client's intention to reuse the existing granite stonework completely as well as ensuring the bank

remains at the same height with a new tarmac infill at the base laid in accordance with Traffic and Highway requirements/specification.”

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

- GP1 Landscape Character and Open Land.
- GP8 Design.
- GP9 Sustainable Development.
- GP13 Householder Development.
- IP9: Highway Safety, Accessibility and Capacity.

Representations:

The Authority has received representation from five parties, including the National Trust of Guernsey, objecting to the proposal. Grounds for objection principally relate to the following issues:-

- If approved, the proposal would encourage developers to redevelop a greater number of remote sites in rural locations in Guernsey and thereby seek to straighten small country lanes used to approach the property.
- Traffic speeds are likely to increase, and therefore will become more dangerous for pedestrians, cyclists and horse riders.
- If this practice is approved, and gains momentum, the landscape character of Guernsey would significant change for the worse.
- The lane is not suitable for large commercial vehicles, and any further damage to the earth banks and hedges will have a serious environmental impact.
- Smaller commercial vehicles should be used as part of the demolition and rebuild of neighbouring properties and have done so for other similar sites using this bend along the lane.
- Weight of vehicles can disturb infrastructure below ground level.
- Damage has already occurred to the banks of the lane from infrastructure providers and is likely to get worse in the future.
- The field at the top of the lane has been approved for storage of building buildings (ref FULL/2025/1344), and therefore such materials can be decanted via smaller vehicles and transferred to La Jaoniere.
- Large vehicles along this lane would make it unsafe for pedestrians.
- Temporary speed restriction road humps should be installed as part of the development in the interests of road users.
- No change between the previously refused permission and this application.
- Ownership and maintenance issues of the land in question.
- Movement of traffic down the lane affects neighbour amenity as a result of the increased frequency, size and noise.
- Similar tight corners exist along the lane which will result in further damage as a result of the build. The applicant should consider mitigation measures elsewhere. The application should be conditioned to ensure that damage elsewhere along the road is made good too.

Consultations:

None.

Summary of Issues:

- Whether the removal of the earth bank and wall is acceptable.
- Whether the design of the replacement wall is acceptable.
- The impact of the development on the character and appearance of the area, neighbour amenity, highway safety or traffic management.

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 Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Assessment approach:

Notwithstanding the justification for the application which is set out in the agent's letter, the proposal must be considered on its own merits and therefore is independent of any other development proposed elsewhere.

Demolition of the earthbank and wall, design of the replacement wall, and the effect on the character and appearance of the area:

The agent has also provided justification for the application that this particular stretch of road along Val au Bourg, results in a pinch-point/S-shape bend and therefore is problematic for larger vehicles which are understood to be needed as part of a replacement dwelling-house, approved under application ref: FULL/2025/0990. Whilst acknowledged, the acceptability of the scheme is based on its design and its harm to the landscape character and amenity of the area.

The existing earth bank and low granite wall is a traditional and distinctive feature in the rural landscape. The composition of the roadside boundary positively contributes to the character and appearance of the area. The repetition of traditional walls, earth banks, and soft landscape such as trees and hedges add a sense of cohesion and unity along roadside boundaries.

As set out in the officer's report of application ref: FULL/2025/1333;

“Whilst the principle to replace a boundary treatment has the potential to be supported under Policy, it would be expected that the replacement boundary treatment should make an equal or enhanced contribution to the environment in which it is located to ensure that the landscape character or appearance of the area is not unacceptably harmed.”

By contrast to the previous scheme, the replacement boundary treatment would consist of a low granite wall and seeks to reuse the granite from the existing retaining wall.

While some concerns are raised over ‘cutting-back’ the earth bank by approximately 1.1m (at the deepest point), the resultant visual effect would be limited given that the replacement boundary treatment would look similar to the existing. Consequently, the works proposed would not cause unacceptable harm to the landscape character or visual amenity that would be sufficient to justify refusal when taking into account the change in materials.

Overall, widening a limited section of the road in the manner proposed, using traditional materials that respect the existing characteristics of the roadside boundary treatment, would not cause undue harm the character of the surrounding rural environment. The proposal compiles with IDP Policies GP1 (Landscape Character and Open Land) and GP8 (Design).

Appropriate conditions should be attached to the decision to ensure that the wall is constructed to match the existing wall and that the road surface where disturbed/created is made good.

Other matters:

In response to other points raised in the letters of representation, the weight, size and number of vehicles required during the construction phase of the development, or imposing temporary speed restrictions is not material to the determination of this application.

It would also not be reasonable or lawful to attach a planning condition in respect of works outside of the application site. Moreover, the ownership, maintenance and third party issues associated with the development are not material planning considerations as defined in The Land Planning and Development (General Provisions) Ordinance, 2007).

The proposal is not considered to have a detrimental effect on highway safety or traffic management.

Neighbour amenity will not be adversely affected as a result of the development.

Conclusion:

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.

Date: 10/06/26

