

**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:** Alteration to existing access to reduce width and widen pedestrian access to form vehicle access to north boundary.

**LOCATION:** Stalta, Ruelle Rabey, St. Martin.

**APPLICANT:** Mr R Holmes

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:** 29/09/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 08/07/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Simon Cottell 335/01.01 & 335/03.10A

**Application Ref:** FULL/2022/1435

**Property Ref:** J013840000

**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 four weeks of the new access being brought into use, the ends of the new and the existing openings shall be finished off using materials and a method of construction which match the existing and adhere to the hereby approved drawings.

Reason - To secure the satisfactory appearance of the completed development.

**Expiry Date: This permission will cease to have effect on 28/09/2025 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/2022/1435  
**Property Ref:** J013840000  
**Valid date:** 08/07/2022  
**Location:** Stalta Ruette Rabey St. Martin Guernsey GY4 6DU  
**Proposal:** Alteration to existing access to reduce width and widen pedestrian access to form vehicle access to north boundary.

**Applicant:** Mr R Holmes

**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 development hereby permitted shall be begun within 3 years from the date of grant of this permission.

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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.

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Reason - To secure the satisfactory appearance of the completed development.

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## OFFICER'S REPORT

### Brief Description of the site:

The property known as 'Stalta' is a large detached one and a half storey house which is set back from and faces north onto Ruelle Rabey. The neighbour to the east shares the same vehicular driveway. Forward and to the east side of the property is a detached one and a half storey garage. To the west and south beyond the garden are open agricultural fields. The property is located Outside of the Centres as defined in the Island Development Plan.

### Relevant History:

FULL/2022/1373 - Extend and alter at ground floor level, install rooflight, alter dormer windows and fenestration to first floor level and install external insulating cladding. Erect porch, infill window and install external insulating cladding to outbuilding – Approved September 2020.

### Existing Use(s):

Residential use class 1: dwelling house.

### Assessment: *(Tick as appropriate)*

|                     |                                     |                              |                                     |
|---------------------|-------------------------------------|------------------------------|-------------------------------------|
| no representation   | <input checked="" type="checkbox"/> | visual amenity acceptable    | <input checked="" type="checkbox"/> |
| accords with policy | <input checked="" type="checkbox"/> | no material neighbour impact | <input checked="" type="checkbox"/> |
| within curtilage    | <input checked="" type="checkbox"/> | traffic not affected         | <input checked="" type="checkbox"/> |
| design acceptable   | <input checked="" type="checkbox"/> |                              |                                     |

### Policies considered most relevant:

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

**Conclusion/Brief comment:**

This application is to reduce the width of the existing vehicle access and extend the existing pedestrian access to allow each property to have their own vehicular entrance.

The average vehicle opening along this rural ruelle is 4.3m, the existing opening is over 9m and is very out of character, looking more like an entrance to a clos rather than to two private properties. The proposal is to reduce this opening by adding a new area of earthbank and hedging above to the east side of the opening, which would bring the access down to 4m at the narrowest.

The other existing entrance is a pedestrian access which is 3.7m at present, the proposal is to enlarge the opening to 4m at the narrowest and around 7.7m at roadside, allowing for a suitable bell-mouth. There will be 2.15m of new earthbank installed on the east side and some of the existing west side hedging to be cut back to achieve important sight lines. The two openings would then be similar to the others in the area, and therefore more in character with the rural nature of the area.

Ruelle Rabey is relatively straight and is noted to be a neighbourhood road in the States Traffic Engineering Guidelines for Guernsey, a Neighbourhood Road is described as:

*“Predominately residential in character with little or no through traffic but may include other areas such as rural lanes. The functional emphasis is primarily one of access to individual properties and provision for vulnerable road users.”*

Due to the low number of traffic movements along the road the proposed sightlines of 15m from each vehicular opening are considered to be adequate in this instance.

There will be no additional traffic flows with the proposals as the same number of vehicles using the existing opening will now be split between the two smaller openings. Giving each property its own entrance and not having to share a driveway.

The proposals achieve a good standard of design when it comes to highway safety. The size and scale of the proposals are not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will they have any impacts on any of the immediate neighbours.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

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

**Recommendation:**

Grant with Conditions



**Date:** 29/09/2022