

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: Create vehicle access and erect gate on north-east site boundary.

LOCATION: Les Vallettes De Haut, Route Des Sages, St. Pierre Du Bois.

APPLICANT: Mr C Crew & Mrs E Priaulx-Crew

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: 19/09/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/08/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Site and Block Plan and brochure page for gate (all dated 06/08/2024).

Application Ref: FULL/2024/1354

Property Ref: F006650000

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 formed, the ends of the new opening shall be finished off using materials and a method of construction which match the remainder of the boundary.

Reason - In the interests of visual amenity.

Expiry Date: This permission will cease to have effect on 19/09/2027 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/2024/1354
Property Ref: F006650000
Valid date: 06/08/2024
Location: Les Vallettes De Haut Route Des Sages St. Pierre Du Bois
Guernsey GY7 9DL
Proposal: Create vehicle access and erect gate on north-east site
boundary.
Applicant: Mr C Crew & Mrs E Priaux-Crew

RECOMMENDATION - Grant: Planning Permission with Conditions:

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Reason - In the interests of visual amenity.

OFFICER'S REPORT

Brief Description of the site:

Les Vallettes De Haut is located to the southwest of Route des Sages, and is elevated slightly above the level of that road. The dwellinghouse on the site is located within the northwest part of the site. The land is terraced down towards the road with a swath of tree planting along the land adjacent to the road. The site is bounded by agricultural land for the majority of the western boundary, with a residential property located at the southern end of that boundary and a further residential property, at a lower level, to the south. The site is located Outside of the Centres, within an Agricultural Priority Area, as designated in the Island Development Plan.

Relevant History:

FULL/2024/0454 - Change of use of agricultural land to domestic garden (2,490sqm) – Approved May 2024.

FULL/2024/0453 - Erect gates, install oil tank and shed to north of dwelling – Approved April 2024.

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:

GP1: Landscape Character and Open Land

GP8: Design

GP13: Householder Development

IP9: Highway Safety, Accessibility and Capacity.

Consultation:

Traffic and Highway Services (THS).

'As per our usual standards, the site should as a minimum:-

- a. enable a driver 2.0m from the edge of the carriageway to see a minimum of 33m in the direction of oncoming traffic;*
- b. not have any obstructions or planting greater than 900mm high above the road surface within the visibility splays;*
- c. have sufficient width to enable cars and light vans to exit and enter the drive without crossing into the path of vehicles on the opposite side of the carriageway;*
- d. be square to the carriageway;*
- e. be sited at a distance not less than 20m from a junction.*

The proposed access would adjoin a Local Circulation Route. Although the road section is subject to a 35mph speed limit, the road geometry in the area of the site dictates that the speeds of vehicle past the site are in the region of 20-25mph in both directions. Traffic flows are observed as light in the area.

The road section outside the proposed access is 4.5m wide, with a pedestrian footway on the northern side of the road (opposite the proposed access). The pedestrian footway varies in width, but is a minimum of 1m wide in the vicinity of the site.

The proposed access would be created in the stone and earth bank which forms the boundary. The design shown is that of a bell-mouth access, with an overall width of 6m at the carriageway edge. The stone and earth bank is currently in the order of 1.5m high with light vegetation along the top of it.

In order to measure the sight lines that would apply, that when the site visit was carried out, the location of the proposed access was estimated based on the drawings provided by the applicants. Although materially, this will not alter any of the geometries tested or commented on within the application. This note is made in case the applicants should query the markings that were placed on the carriageway when the assessment was made. The markings may be incorrect in relation to where the access is planned, but the measurements will be correct in terms of this response.

From the geometries available within the plans supplied and carriageway at the site, it should be possible to achieve a visibility splay which enables sightlines which meet, or come very close to the recommended standard. In practical terms, this may require some reshaping (Battering) of the earth bank on the eastern side of the proposed access, in order that a driver egressing can obtain the required visibility splay, but this 'battering back' of the bank should only relate to a couple of metres of the bank.

Given the above, THS would not object to the creation of an access at this location on either road safety or traffic management grounds.'

Conclusion/Brief comment:

This application is to create a second vehicle access onto the site and erect a gate at the southern end of the northeast boundary of the site. The intended use is for maintenance of the site.

The application is acceptable in relation to the above policies and other material planning considerations. The opening will retain a rural feel with earthbanks either side and a timber 5 bar gate across the entrance. The applicants have said they will plant a number of trees to offset the trees which will be felled to accommodate the new entrance.

The proposals are not considered to have any detrimental impacts on the character and amenity of the surrounding area. The proposed works are set away from nearby residential properties, and there would be no adverse impacts in terms of residential amenity.

THS have no objections to the proposals as they comply with THS criteria, therefore the proposals are deemed to comply with policy IP9.

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: 19/09/2024

