

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: Variations to plans previously approved to erect 14 apartments and 12 dwellings with associated car parking and amenity areas - Erect sheds to rear gardens of all units, reposition sewage pumping chamber to north east corner of communal area, alter parking area, erect new fencing to south of units 7 & 8 and alter landscaping.

LOCATION: Le Menage (formerly Les Blanches), Le Hurel, St. Martin.

APPLICANT: Vieux Le Moulin

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: 25/01/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 26/11/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne AA39-10383-S1- 11, 21E, 23C, 25D, 27C, 28C & 29C.
Industrial GRP C16223.

Application Ref: FULL/2021/2542

Property Ref: J01509K000+J01509K001

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 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.

3.The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permissions dated 27/11/2017 issued under planning reference OP/2016/1180 and 27/09/2018 issued under planning application reference RES/2018/1617 and 07/08/2020 issued under planning application reference FULL/2020/1219, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

4.This permission confers no consent for the installation of windows to the side (east) elevation of units 9 & 10.

Reason - In the interests of residential amenity.

Expiry Date: This permission will cease to have effect on 24/01/2025 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 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/2021/2542
Property Ref: J01509K000+J01509K001
Valid date: 26/11/2021
Location: Le Menage (formerly Les Blanches) Le Hurel St. Martin
Guernsey
Proposal: Variations to plans previously approved to erect 14 apartments and 12 dwellings with associated car parking and amenity areas - Erect sheds to rear gardens of all units, reposition sewage pumping chamber to north east corner of communal area, alter parking area, erect new fencing to south of units 7 & 8 and alter landscaping.
Applicant: Vieux Le Moulin

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 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.

3. The permission hereby granted relates only to the variations specified above. In all other respects the development shall be carried out in full accordance with the permissions dated 27/11/2017 issued under planning reference OP/2016/1180 and 27/09/2018 issued under planning application reference RES/2018/1617 and

07/08/2020 issued under planning application reference FULL/2020/1219, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variations only.

4. This permission confers no consent for the installation of windows to the side (east) elevation of units 9 & 10.

Reason - In the interests of residential amenity.

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested for variations to plans previously approved to erect 14 apartments and 12 dwellings with associated car parking and amenity areas. The variations include erecting timber sheds to the rear gardens of all units, reposition sewage pumping chamber to north-east corner of communal area, alter parking area, erect new fencing to south of units 7 & 8 and alter landscaping.

This application relates to an area of land of approximately 1 hectare (2½ acres) generally to the rear (south-east) of the Manor Stores. Development has commenced on site to implement the approval to construct 14 flats and 12 dwellings.

The site is located within an Agriculture Priority Area, Outside of the Centres in the Island Development Plan.

Relevant History:

07/08/2020 – FULL/2020/1219 – Permission granted for variations to plans previously approved to erect 14 apartments and 12 dwellings with associated car parking and amenity areas - Increase footprint and alterations to fenestration to apartments (units 1-14); Reduce footprint, omit chimneys, omit step between semi-detached dwelling and alterations to fenestration to dwellings (units 15-26); Alterations to road and pathways.

27/09/2018 - RES/2018/1617 – Approval of reserved matters to erect 14 flats and 12 dwellings with associated car parking and amenity areas.

27/11/2017 – OP/2016/1180 - Outline planning application granted for 12 dwellings and 14 flats with associated parking and landscaping, by the Planning Panel following an appeal, ref PAP/003/2017.

06/05/2016 – OP/2016/1180 - Outline planning application refused for a residential development - erect 12 dwellings and 14 flats with associated parking and landscaping.

18/12/2015 – OP/2015/0649 - Outline planning application refused for a residential development - erect 20 dwellings and 17 flats with associated parking and landscaping.

Existing Use(s):

Residential development site

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☐	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP13: Householder Development

Conclusion/Brief comment:

The variations proposed would not have a significant impact on the appearance of the units, or on the wider character of the area and would have no increased impact on the amenity of surrounding properties.

The plans include the provision of windows to the east side elevation of units 9 and 10, which were omitted by condition from a previous variations application (FULL/2020/1219) due to concerns about the interface between these units and units 11 and 12. The agent has subsequently confirmed that the windows to units 9 and 10 have not been installed and it is recommended that these windows are omitted by condition to safeguard the amenities of future occupiers of these units.

The submitted landscaping scheme is broadly the same as the previously approved scheme under RES/2018/1617. The alterations to the number and size of plants is acceptable and would have no significant adverse impacts on the character and appearance of the completed development.

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.

It is recommended that the application is approved.

Recommendation:

Grant with Conditions



Date: 24/01/2022