

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 previously approved plans for a residential development to create 11 dwellings with associated car parking and landscaping - Create additional vehicle access for unit 2 on south boundary, alterations to parking layout for units 1 and 2 and reposition units 1 to 8.

LOCATION: Camp Dolent, Tertre Lane, Vale.

APPLICANT: Framework Developments Limited

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: 20/05/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 09/02/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design Ltd - 17-920 PD/01 Rev D, PD/02 Rev E & PD/04 Rev D

Application Ref: FULL/2022/0158

Property Ref: C007270000

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 on or before 22/10/2023.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2020/0170.

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.No development, excluding demolition and site works, shall begin until an updated landscape design has been submitted to and agreed in writing by the Authority.

Reason - To make sure that a landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

5.The landscaping scheme shall be fully completed, in accordance with Tree Dimensions Proposed Landscaping Design FDL/RLP 1218, A7 drawing number 17-920/PD/09C and as amended by the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - In the interests of the character and appearance of the completed development and to help assimilate the development into its surroundings.

6.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 permission dated 22/10/2020, issued under planning application reference FULL/2020/0170, and subject to the terms and conditions thereof.

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

Expiry Date: This permission will cease to have effect on 22/10/2023 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/2022/0158
Property Ref: C007270000
Valid date: 09/02/2022
Location: Camp Dolent Tertre Lane Vale Guernsey GY4 6EP
Proposal: Variations to previously approved plans for a residential development to create 11 dwellings with associated car parking and landscaping - Create additional vehicle access for unit 2 on south boundary, alterations to parking layout for units 1 and 2 and reposition units 1 to 8.

Applicant: Framework Developments Limited

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 on or before 22/10/2023.

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). In this case, as the application is for variations, the time period corresponds with the original permission under application reference FULL/2020/0170.

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. No development, excluding demolition and site works, shall begin until an updated landscape design has been submitted to and agreed in writing by the Authority.

Reason - To make sure that a landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

5. The landscaping scheme shall be fully completed, in accordance with Tree Dimensions Proposed Landscaping Design FDL/RLP 1218, A7 drawing number 17-920/PD/09C and as amended by the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - In the interests of the character and appearance of the completed development and to help assimilate the development into its surroundings.

6. 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 permission dated 22/10/2020, issued under planning application reference FULL/2020/0170, and subject to the terms and conditions thereof.

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

OFFICER'S REPORT

Brief Description of the site:

Planning permission is requested for variations to works previously approved for a residential development to create 11 dwellings (FULL/2020/0170). The variations involve creating an additional vehicle access for unit 2 within the south boundary, alterations to the parking layout for units 1 and 2 and reposition units 1 to 8 by increasing the spacing between the units from 3.25m to 3.6m.

The site consists of an agricultural field rectangular in shape and measuring approximately 0.27 hectares. It is bordered to the south and west by Tertre Lane and Route des Coutures to the east. To the north the land rises steeply and comprises of a parcel of open/undeveloped land which has recently been regraded and replanted with trees and shrubs.

The site is situated within the St Sampson/Vale Main Centre Outer Area, the open/undeveloped land to the north is situated Outside of the Centres.

Relevant History:

22/10/2020 – FULL/2020/0170 – Permission granted for a residential development to create 11 dwellings with associated car parking and landscaping.

Camp Dolent Development Framework approved May 2018

Existing Use(s):

Agricultural use class 28

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:

Policy MC2: Housing in Main Centres and Main Centre Outer Areas

Policy OC5(B): Agriculture Outside of the Centres – outside the Agriculture Priority Areas

Policy GP1: Landscape Character and Open Land

Policy GP8: Design

Policy GP9: Sustainable Development

Policy GP10: Comprehensive Development

Policy GP18: Public Art

Policy IP6: Transport Infrastructure and Support Facilities

Policy IP7: Private and Communal Car Parking

Policy IP9: Highway Safety, Accessibility and Capacity

Conclusion/Brief comment:

Planning permission was granted for a residential development to erect 11 dwellings in October 2020 (FULL/2020/0170). This current application is limited to variations to the previously approved scheme as set out above.

The creation of an additional access and parking area within the frontage of unit 2 is similar to the access and parking arrangements for units 3 to 8 and it accords with the approved Development Framework. The additional access and the alterations to the parking layout for units 1 and 2 are unlikely to have any significant adverse

effects on road safety and traffic management and they provide suitable on-site parking provision. The proposal accords with Policies IP7 and IP9.

The marginal repositioning of units 1 to 8 would have no discernible adverse effects on the character and appearance of the area or on the amenities of neighbouring residents. Due to the alterations to the parking layouts, the size and position of soft landscaped planters has also altered and therefore revised landscaped details will be required to address this, this can be dealt with by condition.

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: 18/05/2022