

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 demolish building, erect building to provide 10 flats (Residential Use Class 3 - Sheltered Housing) and erect bin store to north of site - Alterations to building to create additional flat (Use Class 3).

LOCATION: Ker Maria, Route Carre, St. Sampson.

APPLICANT: Chaumiere Homes 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: 14/12/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 12/10/2022 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design Ltd: 20-1231/PD/01C, /02B, /03B, /04B & /05C.

Application Ref: FULL/2022/1913

Property Ref: B016700000

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 22/03/2025.

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.The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 23/03/2022, issued under planning application reference FULL/2021/2492, and subject to the terms and conditions thereof.

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

5.The first floor window serving the ensuite to Bedroom 1 in Unit 10 located in the north elevation shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

Expiry Date: This permission will cease to have effect on 22/03/2025 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/2022/1913
Property Ref: B016700000
Valid date: 12/10/2022
Location: Ker Maria Route Carre St. Sampson Guernsey GY2 4RF
Proposal: Variations to plans previously approved to demolish building, erect building to provide 10 flats (Residential Use Class 3 - Sheltered Housing) and erect bin store to north of site - Alterations to building to create additional flat (Use Class 3).

Applicant: Chaumiere Homes 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 22/03/2025.

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. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 23/03/2022, issued under planning application reference FULL/2021/2492, and subject to the terms and conditions thereof.

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

5. The first floor window serving the ensuite to Bedroom 1 in Unit 10 located in the north elevation shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent) which shall thereafter be retained at all times.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises an existing development of sheltered housing accommodation. The block which forms the subject of this application, located to the north of the site, has been demolished in accordance with the consent issued under planning application reference FULL/2021/2492. The site is located within a Local Centre and in an area at risk of flooding as identified in the Island Development Plan.

Relevant History:

FULL/2022/2000 Demolish section of existing building and erect dwelling (Residential Use Class 3 - Sheltered Housing). Pending

FULL/2021/2492 Demolish building, erect building to provide 10 flats (Residential Use Class 3- Sheltered Housing) and erect bin store to north of site. Approved 23-03-2022

PREA/2021/1219 – Demolish store and north wing and erect 10 accessible apartments with associated landscaping. Advice offered 25-06-2021

FULL/2020/1236 - Convert and extend communal area to create 2 additional units of accommodation. Approved 03-09-2020

FULL/2019/0140 - Demolish conservatory and erect two-storey extension with residents' community room, conservatory and ancillary warden's office on the ground floor and self-contained flat (residential use class 3) at first floor. Approved 25-02-2019

Existing Use(s):

Residential Use Class 3 – Sheltered Housing

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:

LC2 - Housing in Local Centres
GP8 - Design
GP9 - Sustainable Development
IP7 - Private and Communal Car Parking

Conclusion/Brief comment:

This application proposes variations to the previously approved works for the demolition and redevelopment of the northernmost wing of the sheltered housing complex, adding an additional unit and increasing the number of units on that part of the site from the original 8 units and the approved 10 units, to 11 new units. The proposed variations include:

- Increase to the width of the central section of the building and alterations to the fenestration of that section, including revised dormer size and design;
- Alteration of the first floor two bed unit within the central section to form two one bed units;
- Alterations to fenestration on north gable and east elevation of eastern section of building;
- Enclosure of amenity space to south of central section;
- Reduction in parking provision by one space.

The principle of new housing within the Local Centres can be considered under IDP Policy LC2, and this proposal is considered to be acceptable in terms the size of the Local Centre concerned.

The proposed building is considered to be acceptable in design terms. The proposal would increase the projection of the north elevation of the central section of the building slightly closer to the north boundary, and would alter the fenestration in that elevation, however the changes would not significantly alter the impacts on neighbouring properties relative to the approved works and would remain in accordance with Policy GP8. The new first floor window proposed to the north gable

of the eastern section of building would serve an ensuite and can be conditioned to be obscure glazed.

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.

Parking provision would be reduced by one space, however adequate parking provision would be maintained on site in accordance with the requirements of Policy IP7.

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: 14-12-2022