

**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:** Variation to previously approved plans to erect 9 dwellings with associated works, create vehicle access to east boundary - Install Juliet balconies at 1st floor level to rear of units 1-6.

**LOCATION:** L'Aumone House, Route De Cobo, Castel.

**APPLICANT:** Infinity Group 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:** 05/03/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 31/01/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

**Drawing Nos:** Infinity Group - 97.GY PD-01A & PD-03E

**Application Ref:** FULL/2024/0147

**Property Ref:** D013360000

**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 19/12/2026.

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 obscure glass balustrade to the Juliet balconies hereby approved shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent) and shall be installed prior to the associated dwelling being first occupied. The obscure glazed balustrade shall thereafter be retained at all times.

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

5.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 20/12/2023, issued under planning application reference FULL/2023/1322, 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 05/03/2027 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](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/2024/0147  
**Property Ref:** D013360000  
**Valid date:** 31/01/2024  
**Location:** L'Aumone House Route De Cobo Castel Guernsey GY5 7RW  
**Proposal:** Variation to previously approved plans to erect 9 dwellings with associated works, create vehicle access to east boundary  
Install Juliet balconies at 1st floor level to rear of units 1-6.

**Applicant:** Infinity Group Limited

**RECOMMENDATION** - Grant: Planning Permission with Conditions:

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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 19/12/2026.

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 obscure glass balustrade to the Juliet balconies hereby approved shall be glazed with obscure glass to a minimum level 3 on the Pilkington scale (or equivalent) and shall be installed prior to the associated dwelling being first occupied. The obscure glazed balustrade shall thereafter be retained at all times.

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

5. 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 20/12/2023, issued under planning application reference FULL/2023/1322, and subject to the terms and conditions thereof.

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

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## **OFFICER'S REPORT**

### **Brief Description of the site:**

The application site is located to the north of L'Aumone House, which itself is set to the north-west of the traffic light junction of Route de Cobo, Rue du Friquet, Rue Des Varendes and Rue du Presbytere. The site is accessed through the gateway serving L'Aumone House, on the traffic light junction, and along a driveway running along the east boundary of the property.

The site comprises open land with a storage building located towards the south boundary, and is bounded by residential properties fronting on to Rue du Friquet to the east. The land associated with one of those properties extends along the north boundary of the site, the eastern part of which is recognised as domestic curtilage. Maison L'Aumone and Maison de Quetteville (Methodist Homes for the Aged) are located to the west.

The site is located within the L'Aumone Local Centre. The site abuts an Agriculture Priority Area (APA) to the north-west and is separated from the APA to the north by the residential property in that direction.

**Relevant History:**

FULL/2023/1322 Erect 9 dwellings with associated works, create vehicle access to east boundary. Approved 20/12/2023

**Existing Use(s):**

Agricultural Use Class 28

**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:**

LC2 Housing in Local Centres  
GP8 Design  
GP9 Sustainable Development

L'Aumone House Development Framework

**Conclusion/Brief comment:**

Permission was granted for the development of 9 dwellings at this site 20/12/2023, including the construction of 6 no 3 bed dwellings on the southern part of the site, identified as "Type 1" housing. During the course of consideration of that application concerns were raised regarding potential overlooking and inter-visibility between those Type 1 units and the dementia care home to the west. Consequently, the fenestration proposed to the west elevation of those units was amended to reduce any potential impacts, including replacement of first floor Juliet balconies with smaller windows.

The current application proposes to reinstate the first floor Juliet balconies to the west elevation of each Type 1 unit, however the balustrade is proposed to be formed of opaque glazing. Taking into account the relationship with the adjacent property, the intervening boundary treatment and the provision of opaque glazing, the proposal would not significantly alter the impact on the amenity of the adjoining property and would be acceptable in respect of Policy GP8d) and GP9b).

The proposal would otherwise remain acceptable in respect of all other relevant planning policies.

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:** 05/03/2024

