

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 - Convert Unit 5 & 6 from 2 dwellings into 4 Flats and associated works

LOCATION: L'Aumone House, Route De Cobo, L'Aumone, 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: 30/07/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 10/06/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Infinity Group: 97.GY/PD-01B, -02E & -09.

Application Ref: FULL/2024/0964

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 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 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.

5. The privacy screens to the roof terraces 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 unit being first occupied. The screens shall thereafter be retained at all times.

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

6. Prior to installation, details of the additional cycle storage hereby approved shall be submitted to and agreed in writing by the Authority. No unit shall be used or occupied until the agreed storage for that unit has been provided in accordance with the approved details. The provision for cycles shall be retained at all times.

Reason - To encourage the use of bicycles as an alternative to the car.

7. Prior to the laying of the additional hard surfacing hereby approved, details of the treatment proposed for that hard surfacing, including a specification of laying, shall be submitted to and agreed in writing by the Authority. The development shall be carried out only in accordance with the agreed details.

Reason - The information provided with the application does not include full details of the proposed feature. This condition is imposed to make sure that the proposal would not have any adverse impact on the character of the area and to manage surface water run off.

Expiry Date: This permission will cease to have effect on 19/12/2026 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/2024/0964
Property Ref: D013360000
Valid date: 10/06/2024
Location: L'Aumone House Route De Cobo L'Aumone L'Aumone Castel
Guernsey GY5 7RT
Proposal: Variation to previously approved plans to Erect 9 dwellings
with associated works, create vehicle access to east boundary
- Convert Unit 5 & 6 from 2 dwellings into 4 Flats and
associated works
Applicant: Infinity Group 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 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 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 20/12/2023, issued under planning application reference FULL/2023/1322, and subject to the terms and conditions thereof.

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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 was previously 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, however the approved site access in the south-east boundary has now been formed.

The approved development for 9 dwellings is underway on site, 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

FULL/2024/0147 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. Approved 05/03/2024

Existing Use(s):

Development site.

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

X
X
X
X

visual amenity acceptable
no material neighbour impact
traffic not affected

X
X
X

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, for 6no 3bed semi-detached dwellings along the west site boundary, 2no 2bed semi-detached dwellings along the north site boundary, and 1no 3bed detached dwelling in the north-east corner of the site.

The current application proposes to subdivide Units 5 & 6 along the north boundary (previously comprising 3 bed units) to form 2no ground floor 2 bed flats and 2no 2 bed maisonettes above. The proposed change to the overall mix and type of dwellings within the development would be in accordance with current housing requirements.

To facilitate the proposed change single storey extensions would be constructed to the rear of each unit, incorporating a roof terrace, and additional parking would be provided to the east of the units. The proposed alterations would not however have any adverse impacts in terms of the design and appearance of the development, or on road safety, and would not significantly impact on landscape/biodiversity provision. Additional cycle storage is indicated for the upper floor units, details and implementation of which can be managed by condition.

The proposal would however reduce the amenity space associated with each unit, with the ground floor units served by hard surfaced garden areas (39.6m² and 22.5m² respectively) and the upper floor maisonettes served by roof terraces (13.26m²), completely enclosed by 1.8m obscure glazed privacy screens. A query was raised with the agent to ascertain whether the path running along the rear of Unit 6a could be omitted, to improve the amenity space associated with that unit, however the agent has explained this would impact on access between the adjacent unit and its associated parking space. The amenity space serving each unit would be limited, and the outlook from the living areas and roof terraces of the upper floor units would be poor. The lower units would however only fall just short of the national guidance for internal space standards, and the upper units would exceed those standards. Taking into account this internal space provision, together with the proximity to a public park, it is considered, on balance, that the amenity of the units would be just adequate.

The proposed hard surfacing would be permeable, and this can be controlled by condition.

The incorporation of privacy screens around the roof terrace would prevent any impact on adjoining properties, either within or outside of the development site boundaries, and implementation of this can also be controlled by condition.

The submitted plans also show removal of render bands, installation of cladding and alteration to front canopy design, all of which have previously been approved as minor amendments to the approved scheme in respect of Units 1-4 and would remain acceptable in respect of Units 5 & 6.

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: 23/07/2024