

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 4 dwellings with associated landscaping, vehicle access and parking - alter internal layout to form additional second floor bedrooms to Type A units.

LOCATION: Land Parcel on the corner of, Carriere Lane, La Route du Braye, Vale.

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: 06/09/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/07/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: 104.GY(A)-PD01 E & 02 E

Application Ref: FULL/2024/1201

Property Ref: C01147B000

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 03/10/2026.

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 variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 04/10/2023, issued under planning application reference FULL/2023/0919, and subject to the terms and conditions thereof.

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

Expiry Date: This permission will cease to have effect on 03/10/2026 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/2024/1201
Property Ref: C01147B000
Valid date: 18/07/2024
Location: Land Parcel on the corner of Carriere Lane La Route du Braye
La Route du Braye Vale Guernsey GY3 5HQ
Proposal: Variation to previously approved plans to erect 4 dwellings
with associated landscaping, vehicle access and parking - alter
internal layout to form additional second floor bedrooms to
Type A units.
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.

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

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a development site of 0.28 acres located on the north side of La Route Du Braye in Vale. The site is bounded by residential properties to the north and west and Carriere Lane separates the site from further residential properties to the east. The land on the opposite side of the road to the south is open and undeveloped.

The main building on the property to the north (Braye Farm) was formerly a protected building, but has now been removed from the protected buildings list.

The site is located within the Main Centre Outer Area as designated within the Island Development Plan, and is not subject to any other designation. The open land to the south of La Route Du Braye is designated as Important Open Land and an Area of Biodiversity Importance.

Relevant History:

FULL/2023/0919 Erect 4 dwellings with associated landscaping, vehicle access and parking. Approved 14/10/2023

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:

MC2 Housing in Main Centres and Main Centre Outer Areas
GP8 Design
GP9 Sustainable Development
IP7 Private and Communal Car Parking

Conclusion/Brief comment:

This application seeks to vary the previously approved application to erect 4 dwellings, altering the internal layout of the Type A units (the semi-detached pair to the south of the site) to form additional accommodation at second floor level, comprising additional bedrooms. The addition of rooflights to the north roofslopes of those units was previously approved as a minor amendment 14/11/2023, although no accommodation has previously been approved within the roofspace.

The approved development was for 2no two bedroom dwellings and 2no three bedroom dwellings, which was considered to address the most significant needs in terms of identified housing requirements at the time of approval, in accordance with Policy MC2. The proposed alterations would result in 4no three bedroom dwellings, which would not achieve a mix of development. Taking into account the relatively small scale of the development, this is however considered acceptable in this instance. Whilst the provision of three bedroom dwellings is not the most critical requirement for housing provision at present, there is still an identified need for such dwellings. Furthermore the proposed alterations would be contained within the envelope of the approved dwellings, with no external alterations required, and these works could be undertaken post-construction without the need for planning permission. The provision of amenities and parking for each unit would remain acceptable.

Taking into account the above, the proposal is found to meet the terms of planning policy and the material considerations of the Law, and approval is recommended.

Recommendation:

Grant with Conditions



Date: 03/09/2024

