

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: Install cladding to ground floor level and erect walls to east and west boundary (retrospective).

LOCATION: Park Way, Guelles Lane, St. Peter Port.

APPLICANT: Pulse Mechanical Electrical

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: 14/02/2022

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/10/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Naftel Associates drawing no: (--)610 Rev A

Application Ref: FULL/2021/2186

Property Ref: A102780000

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 within 3 years from the date of grant of this permission.

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.

Expiry Date: This permission will cease to have effect on 13/02/2025 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/2021/2186
Property Ref: A102780000
Valid date: 18/10/2021
Location: Park Way Guelles Lane St. Peter Port Guernsey GY1 2DD
Proposal: Install cladding to ground floor level and erect walls to east and west boundary (retrospective).

Applicant: Pulse Mechanical Electrical

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 within 3 years from the date of grant of this permission.

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.

OFFICER'S REPORT

Brief Description of the site:

Parkway is a detached two-storey dwelling, currently undergoing extension and alteration, situated to the south of Guelles Lane. The property is elevated above road level and bounded by residential properties to the east, south and west and commercial premises to the north.

The application relates to the introduction of 'Z Clad' multi coloured slate cladding to the ground floor of the dwelling and to alter the finish of the previously approved boundary walls to the east and west boundaries. The west boundary wall is also repositioned due to the purchase of additional land by the property owner. The application is partly retrospective because work has commenced on the boundary walls. At the time a site visit was conducted, the proposed cladding had not been installed to either the dwelling or boundary walls. The outer face of the boundary walls had been rendered but not painted

The site is located within the St Peter Port Main Centre Outer Area in the Island Development Plan.

Relevant History:

FULL/2018/0288 - Remove existing steps and replace roadside boundary wall to create new vehicular access and excavate behind to form parking area – granted

FULL/2018/0541 - Extend dwelling at first floor level to create 2 storey building, including balcony on north elevation and alterations to fenestration – granted

FULL/2018/1168 - Change of room in dwelling to provide administrative office (Residential Use Class 5) (retrospective) – granted

FULL/2018/2268 - Remove fence and section of hedge and erect wall (side/west boundary), and remove hedge and erect wall (side/east boundary) – granted

FULL/2018/2407 - Variation to plans previously approved to extend dwelling at first floor level to create 2 storey building including balcony on north elevation and alterations to fenestration - Erect balcony on flat roof and change window to bi-fold doors – granted

FULL/2019/2101 - Erect garage with terrace above to north (roadside) elevation and extend roof terrace at first floor level to south (rear) elevation – refused

FULL/2021/2396 - Erect garage with raised terrace at first floor level to north boundary (Revised Scheme) – under consideration

FULL/2021/2471 - Erect two storey pool room, extend raised terrace area and erect Braai outdoor kitchen and flue to south (rear) elevation – under consideration. **N. B** this scheme would see the east boundary wall reduced in height.

Existing Use(s):

Residential Use Class 5

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

Island Development Plan policies:

GP8: Design

GP9: Sustainable Development

GP13: Householder Development

Conclusion/Brief comment:

Planning permission has previously been granted for high boundary walls to the east and west site boundaries. As approved the walls were shown to have a scalloped detail as they reduced in height from the rear to the front of the site and were approved to have a smooth render finish. The scheme now under consideration shows that the walls would be timber clad with 'Z Clad' multi-colour pillars. The height of the walls has also been reduced in height adjacent to the dwelling, from 2m to 1.8m high and the west wall repositioned.

These alterations to the approved scheme will be in keeping with the proposed alterations to the main house and take advantage of the flexibility offered to householders through the Island Development Plan. The proposed change to the external appearance of the wall will not have an unacceptable impact on the character and appearance of the streetscene nor on residential amenity with regard to overshadowing of adjoining properties. The modest reduction in the height of the wall will not result in unacceptable overlooking or loss of privacy to surrounding dwellings and considers the health and well-being of occupiers of the development in terms of sunlight and daylight.

The introduction of stone cladding to the ground floor, with the retention of first floor timber cladding, repress an acceptable design change and the palette of

materials represents a good standard of design that respects the local built environment.

With regard to Policy GP9: Sustainable Development, it has been demonstrated that the proposed development will comply with Building (Guernsey) Regulations 2012 and therefore has taken into account the use of energy, resources and any adverse impact on the environment.

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.

In view of the above, it is recommended planning permission is granted for the proposed development.

Recommendation:

Grant with Conditions



Date: 14 February 2022