

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 replacement cladding.

LOCATION: Cour Du Parc Residential, Rue Du Pre, St. Peter Port.

APPLICANT: Guernsey Housing Association

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: 23/05/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 16/03/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners - SK 01 rev B, 02 rev B, 03 rev B, 04 rev B, 05 rev B, 06 rev B, 07 rev A, 08 rev A, 10 rev A & 11.

Application Ref: FULL/2023/0459

Property Ref: A406000000

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 22/05/2026 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/2023/0459
Property Ref: A406000000
Valid date: 16/03/2023
Location: Cour Du Parc Residential Rue Du Pre St. Peter Port Guernsey
GY1 1EG
Proposal: Install replacement cladding.

Applicant: Guernsey Housing Association

RECOMMENDATION - Grant: Planning Permission with Conditions:

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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 - 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

Site Description:

The building known as 'Cour du Parc' is a ten storey block of flats which is located to the west of the junction where La Charroterie meets Rue du Pre & Park Street. To the north are commercial office blocks, to the southeast three attached dwellings and to the southwest and west are other blocks of flats. The property is located in the St Peter Port Main Centre and Conservation Area as defined in the Island Development Plan.

Relevant History:

FULL/2022/0102 - Remove section of wall to create additional vehicle access, install railings, electric charging port and signage – Approved May 2022.

Existing Use(s):

Residential use class 2: flats.

Brief Description of Development:

This application relates to the installation of replacement cladding, due to the existing not meeting the required Building Regulation standards.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

GP4: Conservation Areas

GP8: Design

GP9: Sustainable Development

Representations:

There have been three letters of representation, all from the same source, the issues are:

31/03/23

- The application for change of cladding of Cour du Parc. Is the cladding not up to standard. No other developments anywhere has needed to change the cladding for a second time. You need to see proof that the cladding is dangerous, no one has been evacuated from the building, so what are they doing?

- Maybe fine them, for not doing it correctly, fine if they are having to do it a second time. Compensation for residents in the area for noise as it was already changed.
- More questions and a very short time frame, like a few months or weeks, the cladding is replaced in seconds. No more than three months.

24/04/23

- This tower block was built on the 60s not that many people are using it. It is owned by the GHA but most of these have been knocked down. They are hoping to spend £500 k on replacing the cladding, but it hasn't been passed yet by the planners. The view from La Charroterie Mills Apartments and Mill Court with glass walls would be very good from the top floors. Dandara built it for the view when it would be knocked down. Do people want to live in that block.
- 90 apartments at £380+ thousand and Mill Court compared to an old tower block.
- Do you think it should be knocked down and maybe replace with a co-op food shop.
- Do the States still own it, what is the life expectancy of this building, it won't win any awards for its architecture.

26/04/23

- Dandara Developments knock down Cour de Parc replace with a Co-op food store. Why the developments Mill Court and La Charroterie Mills were done with a horseshoe and glass windows floor to ceiling looking down to town and Mill Court whole floor above the roof of La Charroterie Mills Apartments. 60 year old tower block. <https://www.dandara.com/>

Consultations:

None.

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

This application was submitted at the beginning of March before the new exemptions were approved. Since being approved the new exemption have a new section specifically for the cladding of flats.

The exemption for alterations to an external wall of a building containing flats allows for like for like replacement. As there will be little change to the exterior of the building the proposal are not considered to impact on the character and appearance of the Conservation Area, nor will there be any adverse effects on neighbour amenity.

The proposals are to replace the existing cladding with new cladding that is closely matched to the existing colour and panel sizes as the existing. This is to upgrade the fire performance of the insulation material and fire stops behind the cladding.

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.

The proposals are considered to conform to all of the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions. Neighbour comments have been noted but do not raise significant material considerations relevant to this application.

3 - General material considerations set out in the General Provisions Ordinance.

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. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 23/05/2023