

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: Demolish chimney, erect extension at first floor level to north-west (rear) elevation, install cladding and alterations to fenestration.

LOCATION: 15 Paris Street, St. Peter Port.

APPLICANT: Mr J Spinola

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: 09/10/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 21/03/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Torode Architects: 6299-01A.

Application Ref: FULL/2023/0619

Property Ref: A108330000

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.

4.Notwithstanding the information submitted no permission is granted for the use of artificial slate roof covering. The roof covering shall be finished in natural slate or clay pantiles.

Reason - the use of an artificial roof within this sensitive environment would cause harm to the Conservation Area and setting of an adjoining protected building (No.17, Paris Street).

5.No cladding shall be brought to the site until such time as details of the type, texture and colour of the cladding material to be used have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development to take into account the Conservation Area and setting of an adjoining protected building (No.17, Paris Street).

Expiry Date: This permission will cease to have effect on 08/10/2026 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/2023/0619
Property Ref: A108330000
Valid date: 21/03/2023
Location: 15 Paris Street St. Peter Port Guernsey GY1 2BL
Proposal: Demolish chimney, erect extension at first floor level to north-west (rear) elevation, install cladding and alterations to fenestration.

Applicant: Mr J Spinola

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.

4. Notwithstanding the information submitted no permission is granted for the use of artificial slate roof covering. The roof covering shall be finished in natural slate or clay pantiles.

Reason - the use of an artificial roof within this sensitive environment would cause harm to the Conservation Area and setting of an adjoining protected building (No.17, Paris Street).

5. No cladding shall be brought to the site until such time as details of the type, texture and colour of the cladding material to be used have been submitted to and agreed in writing by the Authority. The work shall be completed in accordance with the agreed details.

Reason - To secure the satisfactory appearance of the completed development to take into account the Conservation Area and setting of an adjoining protected building (No.17, Paris Street).

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a mid-terrace property located to the north of Paris Street. The property is located within a Conservation Area as adjoins a protected building to the north known as Sanserre.

Planning permission is sought to demolish a chimney, erect an extension at first floor level to the north-west (rear) elevation, install cladding and make alterations to the fenestration. The extension will serve as a shower room.

Relevant History:

None germane to this application.

Existing Use(s):

Residential

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

✓
✓
✓
✓

visual amenity acceptable
no material neighbour impact
traffic not affected

✓
✓
✓

Policies considered most relevant:

GP4 Conservation Areas
GP5 Protected Buildings
GP8 Design
GP9 Sustainable Development
GP13 Householder Development

Conclusion/Brief comment:

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.

It is a requirement under the Land Planning and Development (Guernsey) Law, 2005, when considering applications affecting Conservation Areas that special attention shall be paid to the desirability of preserving and enhancing the character and appearance of that Area.

The proposed extension comprises a lean-to design and is approximately 2m in width and 1.8m in depth. The extension will be set off the boundary of the neighbouring property to the north by approximately 2.1m. The extension features an artificial slate roof covering and will be finished in grey 'Cedral' cladding.

The property was not fully accessible to the rear at the time of the site visit, and therefore the agent has provided photographs to provide context of the site and its relationship to surrounding properties. In light of the additional information received, the proposal will not cause any adverse effect on the amenities of neighbouring residents to the north given that the neighbour's gable wall comprises a 'blank' elevation, and does not feature any fenestration which could give rise to neighbour amenity issues.

With regards to the design and appearance of the extension, the scale, form, mass, and siting of the proposal is subservient and proportionate to the dwelling-house and therefore adopts an appropriate design. Although some concerns are raised over the materiality and its suitability within a Conservation Area and relationship to the setting of a protected building. It is therefore considered reasonable and necessary to attach conditions to ensure that the proposed roof is of natural slate or clay pantiles, and that full details of the cladding material is submitted to the Authority to ensure its appropriateness, particularly as the rear elevation is visible from New Paris Road.

All other alterations are acceptable under Policy.

Subject to appropriate conditions, the proposal will not have a significant detrimental impact on the character or appearance of the Conservation Area, the setting of a protected building, or the amenities of neighbouring residents.

Sufficient information has been submitted that has taken into account the criteria of Policy GP9 (Sustainable Development).

Based on the above, the application is considered compliant with the relevant Island Development Plan policies, and accords with the purpose of the Law and material considerations; it is therefore recommended that planning permission be granted, subject to conditions.

Recommendation:

Grant with Conditions



Date: 09/10/23

