

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: Omit decorative screening to east elevation of multi-storey car park.

LOCATION: Phase 2, Admiral Park Car Park, Elizabeth Avenue, St. Peter Port.

APPLICANT: J W Rihoy & Son

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: 21/06/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 18/05/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Lovell Ozanne & Partners - R25-10333-S1-132B & 133B

Application Ref: FULL/2023/0790

Property Ref: A104690000

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 20/06/2026 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/2023/0790
Property Ref: A104690000
Valid date: 18/05/2023
Location: Phase 2 Admiral Park Car Park Elizabeth Avenue St. Peter Port Guernsey
Proposal: Omit decorative screening to east elevation of multi-storey car park.
Applicant: J W Rihoy & Son

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 site is a mixed use development site at Admiral Park. The part of the site to which this application relates was originally called "Project Indigo" which comprises of a major development site of 1.3 ha (8.4 verges) and is located to the north of Elizabeth Avenue, bordered to the west and north by the rear gardens of houses in Grand Bouet and the Clarkes Estate and to the east by the service road at the rear of Trafalgar Court.

The site is located within the Main Centre Outer Area and is designated as an Office Expansion Area under the Island Development Plan.

Relevant History:

FULL/2022/1366 - Variation to previously approved plans to erect multi-storey car park - Reduce building size and create external parking area enclosed with security fencing – granted

RES/2018/1867 - Reserved matters for OP/2016/0796 for the erection of residential, office, retail and leisure facilities at various sites. - Approved

OP/2016/0796 - Erection of residential, office, retail, leisure and day nursery facilities at various sites.
Approved 24/08/2016

Existing Use(s):

"Project Indigo" Previous uses prior to development proposals
Parking (Use Class 22)
 Most recently used for offices (Use class 16) and gym (Use
class 21)
 (Sydney Vane House)

Currently development site

Brief Description of Development:

Planning permission is sought to omit decorative cladding to the east elevation of the multi-storey car park shown as part of the approved scheme to reduce the size of the multi-storey car park (variation to approved scheme).

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

Island Development Plan policies:

GP8: Design

GP9: Sustainable Development

Representations:

One letter of representation has been submitted objecting to the application highlighting that the building will be in situ for years and should look good. As originally proposed the development looked smart and attractive. The only reason to omit the screen is a cost saving exercise. Car parks are ugly looking and the 27m long decorative screen helps this part of the building disappear into the background. There's no grounds to omit the screen.

Consultations:

None.

Summary of Issues:

The key issues in this case relate to the principle of the development and its impact on the character of the area and on residential amenity.

Assessment against:

1 - Purposes of the law.

The objectives set out in Section 1(2) of The Land Planning and Development (Guernsey) Law, 2005, 'the Law', have been considered and this report forms part of the assessment, with policy issues set out in Section 2 below

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

As part of the original application for the car park development it was described as having a utilitarian appearance befitting of its function and which emphasises the hierarchy of building forms and uses across the site. The scheme at that time was amended to incorporate "an improved architectural treatment of the car park's south elevation" to improve outlook from Block A to the north and east. The matter was controlled by planning condition and details approved for the south elevation.

The application relates to the omission of a decorative mesh screen to the east elevation of the multi-storey car park. The screen was introduced as part of an earlier scheme to reduce the size of the multi-storey car park, which was approved in 2022. The east elevation of the building faces the surface car parking previously approved, an access road and a separate multi-storey car park which, although does not include decorative panels has been designed with feature corner and other pillars to break up the façade of the building and which sees the car park safety/ventilation grilles recessed slightly.

The position of the development and the omission of the decorative mesh will not result in unacceptable harm to the character and appearance of the locality nor have a detrimental impact on residential amenity. Given other existing, and approved development the east elevation of the building will not be highly visible in the wider area and the scheme accords with the IDP. The significance and need for the screen to the south elevation, shown to be retained, is highlighted through the earlier application report and planning conditions imposed.

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 omission of the screen from the scheme.

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

In addition to the consideration of policy issues, Section 13 of the Land Planning and Development (General Provisions) Ordinance, 2007 identifies other material planning considerations. These issues where relevant have been considered in the assessment of this application.

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

The proposal would have no adverse impact on protected trees, buildings or sites.

Date: 20 June 2023

