

ONLINE VERSION

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: Extend and alter existing changing rooms/kiosk building to provide community changing rooms (lower ground floor), kiosk and seating areas (upper ground floor) and community/events pavilion (first floor) along with associated external works.

LOCATION: La Vallette Kiosk, La Vallette, St. Peter Port.

APPLICANT: Vive La Vallette

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: 17/06/2020

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 05/03/2020 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: DLM: 1109-17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 33

Application Ref: FULL/2020/0531

Property Ref: A41111A000

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.

ONLINE VERSION

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. No development, including site works, shall be commenced before consultation has been carried out between the developer and Traffic & Highway Services and written confirmation of this and of any proposed mitigation measures has been provided in writing to the Authority. A copy of the comments received from Traffic & Highway Services is appended to this decision.

Reason - In the interests of road safety and effective traffic management.

5. No cladding shall be brought to the site until such time as details of the type, texture and colour of the cladding material(s) 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.

6. No development, excluding demolition and site works, shall begin until an ecological mitigation strategy has been submitted to and agreed in writing by the Authority. The works shall be carried out on site only in accordance with the agreed strategy.

Reason - To make sure that important features of ecological interest are protected and satisfactory mitigation is completed.

7. No development, including site works, shall begin on site until each tree shown to be retained on the approved plan has been protected, in a manner previously agreed in writing by the Authority. Each tree shall be protected in the agreed manner for the duration of building operations on the application site. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no

ONLINE VERSION

materials or temporary building or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

Reason - The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

8. No development, excluding demolition and site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Authority:

- i) the treatment proposed for all ground surfaces, including hard areas;
- ii) full details of tree and hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants;
- iv) finished levels or contours;
- v) any screen walls or similar structures;
- vi) any other structures to be erected or constructed;
- vii) functional services above and below ground; and
- viii) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

9. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

10. No development, including site clearance and demolition, shall take place until an updated version of the Site Waste Management Plan submitted as part of this application has been submitted to and approved in writing by the Authority. The updated Site Waste Management Plan shall take into account any further site surveys or changes to the construction programme, and shall identify an individual with responsibility for regularly monitoring the Site Waste Management Plan. The development shall thereafter be carried out only in accordance with the Site Waste Management Plan so approved.

Reason: To ensure that the development is managed to minimise waste during the

ONLINE VERSION

demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

11. No part of the development hereby permitted shall be occupied or brought into use until there has been submitted to the Authority a report providing verification that the development has been carried out and monitored fully in accordance with the Site Waste Management Plan approved under Condition 10 above. Where there has been any variation from the approved Site Waste Management Plan, the report shall highlight and detail the reasons for this.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

12. No part of the development, hereby permitted, shall be occupied or used until details of any external lighting proposed for the site have been submitted to and agreed in writing by the Authority. Any lighting to be installed shall only be in accordance with the agreed details.

Reason - To make sure the level of lighting is not excessive in order to secure a sustainable form of development and one which does not unduly interfere with residential amenity or traffic and pedestrian safety.

Expiry Date: This permission will cease to have effect on 17/06/2023 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment.

It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site.

The Archaeology team can be contacted on 01481 709738 , 01481 709739 or mobiles 07781 102219 or 07781 131061.

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building is located in an area where bats may be roosting/nesting and measures may therefore need to be taken (including consideration of the timing of the works) to ensure that any protected species present

ONLINE VERSION

are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted on 07781 166924 or email societe@cwgsy.net.

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)

ONLINE VERSION

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/2020/0531
Property Ref: A41111A000
Valid date: 05/03/2020
Location: La Vallette Kiosk La Vallette St. Peter Port Guernsey GY1 1AX
Proposal: Extend and alter existing changing rooms/kiosk building to provide community changing rooms (lower ground floor), kiosk and seating areas (upper ground floor) and community/events pavilion (first floor) along with associated external works.
Applicant: Vive La Vallette

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.

ONLINE VERSION

4. No development, including site works, shall be commenced before consultation has been carried out between the developer and Traffic & Highway Services and written confirmation of this and of any proposed mitigation measures has been provided in writing to the Authority. A copy of the comments received from Traffic & Highway Services is appended to this decision.

Reason - In the interests of road safety and effective traffic management.

5. No cladding shall be brought to the site until such time as details of the type, texture and colour of the cladding material(s) 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.

6. No development, excluding demolition and site works, shall begin until an ecological mitigation strategy has been submitted to and agreed in writing by the Authority. The works shall be carried out on site only in accordance with the agreed strategy.

Reason - To make sure that important features of ecological interest are protected and satisfactory mitigation is completed.

7. No development, including site works, shall begin on site until each tree shown to be retained on the approved plan has been protected, in a manner previously agreed in writing by the Authority. Each tree shall be protected in the agreed manner for the duration of building operations on the application site. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

Reason - The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

8. No development, excluding demolition and site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the Authority:

- i) the treatment proposed for all ground surfaces, including hard areas;
- ii) full details of tree and hedge planting;
- iii) planting schedules, noting the species, sizes, numbers and densities of plants;
- iv) finished levels or contours;
- v) any screen walls or similar structures;
- vi) any other structures to be erected or constructed;
- vii) functional services above and below ground; and

ONLINE VERSION

viii) all existing trees, hedges and other landscape features, indicating clearly those to be removed.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

9. The landscaping scheme shall be fully completed, in accordance with the details agreed under the terms of the above condition, in the first planting season following the first occupation of any part of the development or completion of development whichever is the sooner, or in accordance with a programme previously agreed in writing by the Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.

Reason - To make sure that the appearance of the completed development is satisfactory and to help assimilate the development into its surroundings.

10. No development, including site clearance and demolition, shall take place until an updated version of the Site Waste Management Plan submitted as part of this application has been submitted to and approved in writing by the Authority. The updated Site Waste Management Plan shall take into account any further site surveys or changes to the construction programme, and shall identify an individual with responsibility for regularly monitoring the Site Waste Management Plan. The development shall thereafter be carried out only in accordance with the Site Waste Management Plan so approved.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

11. No part of the development hereby permitted shall be occupied or brought into use until there has been submitted to the Authority a report providing verification that the development has been carried out and monitored fully in accordance with the Site Waste Management Plan approved under Condition 10 above. Where there has been any variation from the approved Site Waste Management Plan, the report shall highlight and detail the reasons for this.

Reason: To ensure that the development is managed to minimise waste during the demolition of any existing buildings or structures or during construction, that existing materials are reused, recycled or disposed of either on or off site, and that residual waste will be dealt with appropriately, in accordance with the aims and objectives of Policy GP9.

ONLINE VERSION

12. No part of the development, hereby permitted, shall be occupied or used until details of any external lighting proposed for the site have been submitted to and agreed in writing by the Authority. Any lighting to be installed shall only be in accordance with the agreed details.

Reason - To make sure the level of lighting is not excessive in order to secure a sustainable form of development and one which does not unduly interfere with residential amenity or traffic and pedestrian safety.

INFORMATIVES

The application site is located within an area of known archaeological importance and your attention is drawn to the provisions of the Island Development Plan, Annex VIII on Archaeological Assessment.

It is desirable that access be granted to the States Archaeologist, Culture & Heritage Service, and that you contact them to gain advice or make arrangements for archaeological recording during any earth moving on the site.

The Archaeology team can be contacted on 01481 709738 , 01481 709739 or mobiles 07781 102219 or 07781 131061.

Your attention is drawn to The Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The building is located in an area where bats may be roosting/nesting and measures may therefore need to be taken (including consideration of the timing of the works) to ensure that any protected species present are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted on 07781 166924 or email societe@cwgsy.net.

OFFICER'S REPORT

Site Description:

The application relates to the existing changing rooms/kiosk building which is situated to the west of two existing bathing pools. The existing building is in a poor state of repair and is currently underused. No part of the site is accessible for wheelchair users. The application site also includes the publicly accessible vegetated mound to the west, which includes a number of mature trees, situated between the building and the road.

The site is within the Main Centre Outer Area, a Conservation Area, an Area of Biodiversity Importance and the St Peter Port Harbour Action Area.

Relevant History:

None relevant

ONLINE VERSION

Existing Use(s):

The existing building is on two levels and currently contains changing rooms, kitchenette, small storage areas and a small shop area associated with the bathing pools with a flat roofed convenience retail kiosk and open terrace seating areas above.

Brief Description of Development:

It is proposed to extend and alter the existing changing rooms/kiosk building to provide community changing rooms (lower ground floor), kiosk and seating areas (upper ground floor) and community/events pavilion (first floor) along with associated external works.

The project vision is stated to be:

- A welcoming and accessible venue designed to encourage all members of the community to feel they belong
- To provide a facility for spectators and participants of the Island Games 2021
- Flexible space allowing for multi-purpose use e.g. education, arts, sport (viewing and participation), health, food markets etc
- A safe inclusive environment encouraging use by all locals but also attractive for visitors
- Sustainable development that enhances the coastal landscape
- Regeneration of the bathing pools and associated facilities
- Café offering a simple menu with an emphasis on quality, health and affordability

The submitted application included a brief design statement, sustainability statement and waste management plan.

A tree condition survey and categorisation report (Loyd report) dated 21 March 2020 was subsequently received along with an architect's plan showing tree root protection areas (RPAs), details of construction proposed within the RPAs and tree protection proposals.

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

Island Development Plan (2016) Policies:

S1: Spatial Policy

S2: Main Centres and Main Centre Outer Areas

MC3: Social and Community Facilities in Main Centres and Main Centre Outer Areas

MC7: Retail in Main Centre Outer Areas

MC9(A): Leisure and Recreation in Main Centres and Main Centre Outer Areas – New, and extension, alteration or redevelopment of existing uses

ONLINE VERSION

MC10: Harbour Action Areas
GP1: Landscape Character and Open Land
GP3: Areas of Biodiversity Importance
GP4: Conservation Areas
GP8: Design
GP9: Sustainable Development
GP18: Public Realm and Public Art
IP9: Highway Safety, Accessibility and Capacity

Representations:

Seven letters of representation have been received, objecting to the application on various grounds the key points of which are summarised below:

- The pools and existing kiosk are well-used
- Some statements in the application about the existing facilities and their use are untrue and the photographs are misleading as they were taken some time ago
- The proposed development is not needed – there is only a need for an upgrade/maintenance of the existing facilities
- The proposed development will harm the natural beauty of the area, is not in keeping with the area and is huge in comparison with the existing
- Wheelchair access can be provided relatively easily with only minor alterations to the existing structure
- Concerns about the impact of the development on the community of swimmers who currently use the pools
- Parking in the area is insufficient/more is needed
- Larger development will cause congestion; the small area will not support so many activities
- Current users and others will be unable to use much of the space during construction.

Consultations:

Constables of St Peter Port

The matter was considered by the Constables who had no comment to make.

Office of Environmental Health & Pollution Regulation

I have reviewed the proposed plans for the redevelopment of the bathing pool facilities and I do not wish to raise any objections to the proposals. Once further details of the kitchen layout and facilities are available, the applicant should contact this office for advice.

La Societe Guernesiaise

This is a relatively large project and without trying to foresee all of the potential impacts at this stage, I think the applicant should be required to undertake a suitable ecological assessment to identify any impacts and to consider appropriate mitigation, and offsetting if necessary.

ONLINE VERSION

Just to give a brief idea of some of the considerations, there are bats in the area and they may be in the building or at least affected by other issues such as external lighting. The soft cliff areas may support solitary bees and other invertebrates, the works on any trees and other natural areas may be subject to timing issues e.g. nesting birds etc.

Disability Officer

I am pleased to see that much thought seems to have gone into improving accessibility of these proposed facilities.

The only comments that I have are as follows:

- There does not seem to be a larger changing cubicle that could be used by wheelchair users/ carers (and also families). Ideally this should also include support handles.
- I applaud the proposal for accessible toilets on the two levels.
- The circulation space looks well planned.
- I cannot see where the lift access would be, and therefore cannot see if the door would restrict access to the toilets etc.
- I am not sure what gradient the ramp access is, but the plans state that it meets part M requirements.

This plan does not look at parking near the site, so the location of accessible parking spaces would need to be reviewed and installed.

I know that this proposal does not go as far as the consideration of access to the pools, but this will also need to be considered at some point in the future.

Agriculture, Countryside & Land Management

In terms of the proposal for the kiosk it more or less fits within the existing footprint of the current structure. There's a need to establish clarity on the nature of any construction where it might affect the mound and the vegetation, including any trees.

Methodology of construction needs to be scrutinised to ensure that both the marine and terrestrial environments are protected from the impact of development both during and after the build e.g. the management, use & disposal of cement based materials and other materials toxic to the living environment.

I would also want to see consideration given to the design approach which takes a proportional account of climate change and its impact, for example, on sea level rise and the probability of more frequent and severe storm events.

I welcome the inclusion of a "biodiverse planting scheme" and would, depending on the detail, meet my own aspiration at least of adopting "net biodiversity gain". I do however note the description "... planting scheme within what is currently unused and unplanted landscape...". I'm not sure what that means since the phrase

ONLINE VERSION

“unplanted landscape” is ambiguous and implies there is only value in a planted landscape. This should be clarified to avoid the possibility of losing what might be an existing habitat of value.

Arboricultural Officer

I have reviewed the DLM plan and the Loyd report, issued 2/4/2020 & 21/3/2020 respectively. In general I concur with the findings of the Loyd report in respect of the plotting of trees and their Root Protection Areas (RPAs). I note and support the approach taken with adjusting the mathematically calculated RPAs (as circles) to take account of the site conditions. The report talks about a "5% offset from adjoining influences" which is meant to take account of the constraints to root spread and development westward toward the road and eastwards toward the foreshore. Although the Loyd report suggests drawing an elliptical RPA to better reflect the likely actual root architecture, the DLM plan shows the areas as circles i.e. mathematically calculated. Therefore it is unclear whether the percentage of RPA affected by the proposed development is accurate. In any event if these percentages are based on mathematical RPA the percentage of an adjusted (elliptical) RPA, affected by development is likely to be higher.

That said it is my opinion that the proposal as it stands is unlikely to have a material impact on the condition or longevity of the trees given that:

- 1) At the northern end of the mound no excavation is proposed, but infill, and provided that the design and materials for the infill allow for sufficient air/water exchange to avoid detriment to tree root function.
- 2) At the southern end, where excavation is proposed for a bike park, that this should be limited as far as possible to minimise or zero any incursion into the relevant RPA.

Traffic & Highway Services

For the sake of clarification, we note the annotation on Appendix 01 of the application, makes reference to an electric charging point in the Buggy and Bike Park area. We believe that this is a charging point for e-bikes, as opposed to a vehicle charging point. We would have no concerns in relation to the former, but would have concerns if the charging point is in respect of vehicle charging.

Additionally, whilst we would obviously welcome the ramped access and the opportunities that this gives to wheelchair users to visit the site, we do have some reservations. Unless strict access controls for vehicles to use this ramp are in place, by way of timed access for deliveries and physical prevention of vehicle access, there is a significant concern that vehicles could be reversing up or down the ramp, into what may be a busy area for pedestrians, resulting in a road safety danger.

From an active travel perspective, THS are keen to engage with all interested parties in relation to the active travel opportunities that the development offers. Based on use, it may be necessary for THS to make changes to the current 10 hour parking in the area, to take account of users wishing to utilise shorter stay parking.

ONLINE VERSION

From a traffic management and road safety perspective, it is felt that the refurbishment and wider public offering described within this application will result in an intensification of use. The exact impact on traffic in the area resulting from the intensification cannot be determined by any form of modelling at this time, but it is likely to lead to more vehicle movements within the area, and therefore, in combination with an increase in footfall result in a greater road safety risk in the area. Whilst these two areas cannot be mitigated at this stage, we would welcome a dialogue with the developers, in order that both the construction phase and live operation of the site post development are considered specifically against these two areas.

Taking into account the above, THS would not oppose the application.

Summary of Issues:

- Principle of the development proposed
- Design and effect on the Conservation Area and on landscape character
- Ecology and biodiversity
- Traffic and parking

Assessment against:

- 1 - Purposes of the law.**
- 2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.**
- 3 - General material considerations set out in the General Provisions Ordinance.**
- 4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).**

The Island Development Plan (IDP) was approved by the States in November 2016. It has the aim to help maintain and create a socially inclusive, healthy and economically strong Island, while balancing these objectives with the protection and enhancement of Guernsey's built and natural environment and the need to use land wisely. The relevant policies of the IDP are listed above.

Principle of the development proposed

IDP Policy S1 sets out the spatial policy to concentrate the majority of new development in the Main Centres and Main Centre Outer Areas to maintain the vitality of these areas. Policy S2 states that proposals within the Main Centre Outer Areas will generally be supported where this would not detract from the objective of ensuring the Main Centres remain the core focus for economic and social growth.

IDP paragraph 6.2.1 clarifies that social and community facilities can include community centres, clubs and public meeting rooms. The existing changing rooms arguably have a social and community function but are essentially a leisure and recreational facility, associated with the adjacent bathing pools which are recognised in paragraph 8.1.2 as an Outdoor Formal Recreation use. Policy MC9(A) supports new facilities for Outdoor Formal Recreation or facilities to support existing provision

ONLINE VERSION

provided that any built development is ancillary to the leisure or recreation use and kept to a scale consistent with the requirements of the leisure or recreational activity, and also accord with other relevant IDP policies.

The proposals retain the changing room facilities within the lower ground floor level, utilising the existing structure which would be tanked, insulated and re-fitted to provide three changing areas with hot showers accessible to the public free of charge. Level access would be provided along with an undercut area to provide shelter or allow changing independent of the changing rooms, if desired. A community/events pavilion is also proposed at first floor level with access on to the top of the mound. This provides an events, exercise or performance space that can open onto a range of external areas for mixed-use. In this case, the overall scale of the development proposed for leisure and recreational purposes is considered proportionate to the requirements of that use.

Policy MC7 states that proposals to extend, alter or redevelop existing convenience retail premises will be supported where they accord with all the relevant policies of the IDP. This would allow for the principle of extending the convenience kiosk/café use. The proposed kiosk is enlarged within a new part of the building and includes indoor and outdoor seating areas and a tiered space for activities. The development includes disabled toilets and a lift along with a ramped access from ground level.

As there is no approved Local Planning Brief (LPB) for the Harbour Action Area, proposals will be supported under Policy MC10 providing that the development would not prejudice the outcomes of the LPB process, or would not inhibit the implementation of an approved LPB, and provided the proposal accords with all the relevant policies of the IDP. In this case, the scale and location of the proposed development would not prejudice the outcomes of the LPB process, or be likely to inhibit the implementation of an approved LPB for the Harbour Action Area.

It is consequently concluded that there is support for the principle of the development having regard to the relevant policies of the IDP.

Design and effect on the Conservation Area and on landscape character

The application site is within the St Peter Port Conservation Area and forms part of a linear park that runs from the Clarence Battery to the Half Moon Battery. The linear park includes pathways, public cultural/leisure buildings as well as a number of tidal bathing pools one of which and its changing rooms/kiosk are the subject of this application.

The bathing pools and associated buildings first appear on the 1873 Map of St Peter Port. The changing room/kiosk could be shown on this map, but appears to have been rebuilt or substantially remodelled since the C19th. Although the building acts as a local landmark, this is primarily due to its public use rather than any architectural quality. The building does not have sufficient special interest to warrant its statutory protection (e.g. a protected building) and is not of such high

ONLINE VERSION

historic/architectural/townscape quality that would lead it to be considered a feature in the Conservation Area.

There are a number of mature trees on the application site, which contribute to the character of the wooded hillside. They are features within the Conservation Area.

The application involves substantial extensions and alterations to the external appearance of the existing building as well as alterations to the immediate external spaces. As the building is not a feature in the Conservation Area, there is no objection in principle to its demolition or substantial changes to its external appearance, subject to the detailed design of the alterations/extensions.

Materials have been selected by the project Architect for their practical properties, resilience to weather, suitability for use with the existing and new structure, robustness and sustainability. The lower level is clad in 100% recycled plastic cladding. The new structure above is a concrete frame, the colour of which would be selected to blend with the surrounding stone and concrete tones. Lightweight infill panels and the pavilion are clad in recyclable composite timber product, which is durable and maintenance-free.

The detailed design of the extensions/alterations increases its scale/mass and substantially changes the external appearance of the building. However, the resultant building has a coherent architectural composition, which also has coherent external spaces that are accessible to the public. The building will remain subservient to the green backdrop of the Valle Des Terres. The development represents good architectural design that is appropriate to its context.

The proposed development shows buildings and external spaces in close proximity to the existing trees on the application site. The application drawings show these trees to be retained. A tree condition survey and categorisation report (Loyd report) dated 21 March 2020 was subsequently received along with an architect's plan showing tree root protection areas (RPAs), details of construction proposed within the RPAs and tree protection proposals.

Sufficient information has been supplied within the application to demonstrate compliance with the relevant policies of the Island Development Plan concerning design (GP8), impact on the Conservation Area (GP4) and on landscape character (GP1), and sustainable development (GP9). Conditions should be applied in relation to tree protection during the course of construction and landscaping.

Ecology and biodiversity

The site is within an Area of Biodiversity Importance. La Societe Guernesiaise notes that this is a relatively large project and without trying to foresee all of the potential impacts at this stage, the applicant should be required to undertake a suitable ecological assessment to identify any impacts and to consider appropriate mitigation, and offsetting if necessary.

ONLINE VERSION

The biodiversity interest of the site has been considered in relation to the existing trees and potential impacts on them. Tree protection and additional landscaping can be achieved by conditions on any planning permission granted. In addition, having regard to Policy GP3, it is reasonable in this case to require an ecological assessment prior to any development being commenced, with recommendations for mitigation where appropriate, the implementation of which can be required by planning condition. Details of lighting should also be required by condition and an informative added regarding the potential presence of bats in the area having regard to the advice of La Societe Guernesiaise.

Traffic and parking

The proposal does not impact on the existing roadway or parking arrangements. There is public parking in the vicinity of the proposal. Traffic & Highway Services (THS) do not oppose the application but note that from a traffic management and road safety perspective the refurbishment and wider public offering described within this application is likely to result in an intensification of use. The exact impact on traffic in the area resulting from the intensification cannot be determined by any form of modelling at this time, but it is likely to lead to more vehicle movements within the area, and therefore, in combination with an increase in footfall result in a greater road safety risk in the area. Whilst these two areas cannot be mitigated at this stage, THS would welcome a dialogue with the developers, in order that both the construction phase and live operation of the site post development are considered specifically against these two areas. Having regard to Policy IP9, a requirement for the developer to consult with THS can reasonably form a condition of any planning permission granted.

Date: 17/06/2020

ONLINE VERSION