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: Demolish existing and erect replacement dwelling, infill existing and create new vehicular access to north boundary and erect garden store.

LOCATION: Les Croutes, La Turquie, Vale.

APPLICANT: CLEC Limited

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: 24/03/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 22/10/2020 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design - 19-1065 PD/07, 08, 09, 10, & 12.

Application Ref: FULL/2020/2050

Property Ref: C002550000

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. The landscaping scheme shall be fully completed in accordance with the details shown on the approved drawing entitled 'Hardscaping and Landscaping Key' (ref: PD/12) and as detailed in the 'Tree Dimensions Landscapes Defined' report dated 7th September 2020, 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.

5. No materials to be used on the exterior of the buildings shall be placed on the site until such time as samples of those materials have been submitted to the Authority. Only materials agreed in writing by the Authority shall be used in carrying out the development.

Reason - To secure the satisfactory appearance of the completed development.

6. Details and a sample of the materials to be used for the areas of hard standing as shown on the drawing Ref: PD/12 shall be submitted to the Authority for approval. Only those materials agreed in writing by the Authority shall be used in carrying out the development.

Reason - To secure the satisfactory appearance of the completed development.

7. The finish of the timber garden store hereby permitted shall be submitted to and agreed in writing by the Authority. The agreed finish shall be applied within 28 days of construction.

Reason - To secure the satisfactory appearance of the completed development.

8. Prior to the first use of the new vehicle access point, the ends of the new opening shall be finished off, and the existing access point shall be closed permanently using materials and a method of construction which match the remainder of the roadside boundary and in accordance with the details shown on the approved plans Ref: PD/07 & PD/12.

Reason - To minimise the number of points of access, in the interests of highway safety and to secure the satisfactory appearance of the completed development.

9. Other than those shown on the approved plans and notwithstanding the provisions of the Land Planning and Development (Exemptions) Ordinance, 2007 (or any other Ordinance replacing or re-enacting that Ordinance), no additional windows shall be inserted in the north elevation of the dwelling hereby approved.

Reason - To minimise the effect of the development on the privacy and amenities of nearby residents.

10. The development hereby permitted shall be carried out in accordance with the Site Waste Management Plan submitted as part of this application, and no part of the development 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 fully in accordance with the agreed Site Waste Management Plan. Where there has been any variation from the Site Waste Management Plan as originally submitted, 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.

Expiry Date: This permission will cease to have effect on 23/03/2024 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is drawn to the Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The existing building may be used by bats or other wildlife for roosting and nesting. Measures may therefore need to be taken (including consideration of the timing of the works and provision to support wildlife in the long term) to ensure that protected species 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.

For the avoidance of doubt, this decision permits the garage to be used only for purposes incidental to the enjoyment of the dwelling house. Any use in connection with a trade or business would require a separate grant of planning permission.

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

ONLINE VERSION

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States of Guernsey
Planning Service

PLANNING APPLICATION REPORT

Application No:	FULL/2020/2050
Property Ref:	C002550000
Valid date:	22/10/2020
Location:	Les Croutes La Turquie Vale Guernsey GY3 5EH
Proposal:	Demolish existing and erect replacement dwelling, infill existing and create new vehicular access to north boundary and erect garden store.
Applicant:	CLEC Limited

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.

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.

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September 2020, 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.

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Reason - To minimise the number of points of access, in the interests of highway safety and to secure the satisfactory appearance of the completed development.

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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.

INFORMATIVES

Your attention is drawn to the Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The existing building may be used by bats or other wildlife for roosting and nesting. Measures may therefore need to be taken (including consideration of the timing of the works and provision to support wildlife in the long term) to ensure that protected species 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.

For the avoidance of doubt, this decision permits the garage to be used only for purposes incidental to the enjoyment of the dwelling house. Any use in connection with a trade or business would require a separate grant of planning permission.

OFFICER'S REPORT

Site Description:

Les Croutes is a detached dwelling situated to the south of Les Croutes and on the junction of Rue Godfrey and Le Parcq Lane. It is a small 3 bay cottage built 1898 – 1938, one and a half storeys, stone built with a slate roof and brick stacks, traditional in late Victorian Style. Les Croutes has a render exterior and timber windows and doors. A flat roof extension exists to the rear/south of the building and a timber vinehouse is attached to the west elevation. A mono-pitched roof extension is situated to the southeast of the dwelling and a number of outbuildings and a shed are located to the southwest of the property. Vehicular access is situated on the junction of Les Croutes, Le Parcq Lane and Rue Godfrey. The roadside boundaries are marked by granite walls.

There are other new and notable buildings in the area, including East View to the northeast of the site. This is a modern building built 2001-2004, single storey, low, grass roof, large windows, white, next to a cliff which effectively hides it.

Noirmont is a contemporary building built 2013-2016, 2 and 1.5 storey split into 3 volumes; vernacular shaped ends are dry stone with zinc 1st floor, central shape is a dark glass flat roof building with projecting flat roof forming a balcony. When viewed from the site this building is on top of a cliff but remains low and unobtrusive due to narrow and traditional shaped end elements which have low eaves, the use of materials and dark materials on the first floor.

Tir na nog is an adaptation of a traditional cottage built very close to the road and directly opposite the site to the north. Built between 1787 and 1898 it appears to be a traditional 5 bay cottage which has had its roof replaced with a mansard in which the lower part is rendered. The scale is small with narrow traditional windows facing the road.

La Haute Banque is a three storey late Victorian style house built between 1898 and 1938. This is notable as whilst it is tall the apparent bulk appears reduced as the building and roof is narrow in plan.

There is also an abrupt change in character when turning off the main road which is built-up (Grande Rue / La Rochelle road), to a generally rural character in which buildings are sparse with large open fields around and in between built forms, the built development becomes more sparse as the land slopes slightly down towards the sea to the east.

The site (and the road) generally faces the rear elevations of the surrounding properties which line Kings Road and the elevated Rue Des Hougues De Normont to the north; Grande Rue to the west and what appears to be an un-planned estate or group of buildings that stretch from Grande rue to Rue Godfrey to the south. To the east there are views of the sea and the landscape becomes more open.

The site is located Outside of the Centres as designated in the Island Development Plan.

Relevant History:

FULL/2020/0236	Demolish and rebuild dwelling and create new vehicular access	Refused 24/04/2020

Existing Use(s):

Residential

Brief Description of Development:

Planning permission was refused at this site to demolish and rebuild the dwelling and to create a new vehicular access (Ref: FULL/2020/0236). The application was refused for three reasons summarised as follows:

1- Design and in particular that the replacement dwelling did not represent a high standard of design in sympathy to its setting and due to its scale, bulk and proportions the replacement dwelling would not make positive enhancement to the area. The proposal does not achieve a sufficiently high standard of design to complement the architectural character of the area and is contrary to Criteria (a) and (c) of Policy GP8;
2- By virtue of its size, height and bulk and relationship with the neighbouring property Tir na Nog would result in an unacceptable degree of overshadowing and loss of sunlight to this property and is therefore contrary to Policies GP8 and GP9 of the IDP;
3- The application has not been detailed by a hard and soft landscaping scheme and the application failed to demonstrate that the development and associated landscaping would reinforce the local character.

The application the subject of this report is a resubmission and with various revisions to the scheme (discussed in detail below) aims to address the previous reasons for refusal and the requirements of the relevant policies of the Island Development Plan. The proposal relates to the demolition of the existing dwelling and all outbuildings on the site and the construction of a replacement dwelling along with the infill of the existing vehicular access and the creation of a new vehicular access from Les Croutes. The proposal also intends to erect a garden store.

The application has been accompanied by a Site Waste Management Plan and a Design and Access Statement which addresses the requirements of Policy GP8 and GP9.

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

Island Development Plan policies:

OC1: Housing Outside of the Centres
GP1: Landscape Character and Open Land
GP8: Design
GP9: Sustainable Development
GP13: Householder Development
IP7: Private and Communal Car Parking
IP9: Highway Safety, Accessibility and Capacity

Representations:

In total five letters of representation have been received one in support of the proposal and four objecting to the proposal.

With regard to the letter of support the points raised are summarised as follows:
- The plans are impressive;
- The style of the dwelling is in keeping with the variety of dwellings within the area and by replacing what is on the site will greatly enhance the location;

- The proposal is a good example of contemporary architecture in an appropriate context.

With regard to the objections raised, the grounds for objection are summarised as follows:

Effect on neighbours

- The proposed new build is significantly closer to Tir Na Nog than the existing cottage;
- The front aspect of Tir Na Nog which is used to sit out and enjoy the evening sun will be overlooked and overshadowed by the proposed development;
- Although shadow analysis has been produced having lived in the area for 24 years a property of this size would overshadow Tir Na Nog restricting access to sunlight;
- Shadow analysis drawings have been submitted which are informative but offer no comparison between the existing and proposed dwelling;
- The footprint of the property is extended by 3.3m closer to the road reducing the garden area and altering the building line which should be respected.
- The east perspective would impact on the privacy of the neighbouring properties in this direction;

Character and appearance of locality

- Mature trees are shown on the drawing to demonstrate that the property will blend in with the surroundings, however these trees are not there in reality;
- It is encouraged to see a reduction in the height of the dwelling however the ridge height is 870mm higher than the existing building, an overall reduction of 200mm or 8 inches which will do little to help the building blend in with the surroundings;
- On a site where a traditional Guernsey cottage once stood, the new development will dominate the lane and spoil the natural beauty and Guernsey charm of the area.
- Many of the trees have already been removed by the developer so for many years the development will be visible behind immature saplings;
- The proposed building is no way in-keeping with the area;
- The stature of the dwelling is far too big and dwarfs the cottage there now;
- The area is one of natural beauty which will be lost should this development go ahead;
- The houses surrounding are in proportion and blend in with the landscape the proposed dwelling will be intrusive;
- The house should be built at single storey level which will reduce the impact on the area;
- Point Vii of the covering letter where it states the proposal would be more aesthetically pleasing is questionable;
- The cottage ‘Les Croutes’ was constructed 110 years ago reflecting a time when the area was a hub for industry. It now forms a quaint cornerstone

appreciated by the neighbourhood and those who use the lanes for leisure activities;
- The eaves height and roof heights are being altered and to reduce the impact on the area the original elevation to the north (roadside) should be respected;
- The materials are out of keeping with the area and are more industrial style rather than residential;
- The installation of security gates is out of keeping with the area;

Other issues
- A development of this scale and the subsequent groundwork involved on a plot which neighbours a granite quarry may affect the structural integrity of neighbouring properties, causing irreparable damage (*Note from case officer, this is not a material planning consideration)*
- The vehicle access directly opposite and even closer to Tir Na Nog and adjacent to the gable wall is potentially structurally damaging (*Note from case officer, this is not a material planning consideration)*.
- The property will obliterate the view of the coast from many other properties in the surrounding area (*Note from case officer, this is not a material planning consideration);*
- The developers have failed to 'Opal Tide' a demolish and rebuild project midway in timescale between 'Eastview' and rebuilding of 'Noirmont'. Opal tide has a painted render finish replicating that of the original dwelling/ Eastview is barely visible from the surrounding area, each site is unique;
- The area is important to Guernsey heritage as Tir Na Nog was the birth place and childhood home of Denys Corbet (poet and painter);
- The latest proposal is another missed opportunity to integrate the cottage into the development creating a juxtaposition of modern architecture with local heritage.

Highway Safety issues
- The proposed driveway is on a blind spot with reduced visibility created by the proposed building itself;
- The previous plans show the vehicular access in a safer position and it is suggested that this is reverted;

<u>Consultations</u>:

La Societe Guernesiaise by email dated 25th November 2020 stated the following:

"In respect of this application, we would like to highlight that buildings of this type can be used by roosting bats. This likelihood can increase when the property is located within a variable landscape with habitats such as farmland or woodland nearby.

We would recommend that the buildings be inspected for current or recent use by bats or other wildlife by a suitably qualified person prior to any demolition or building

works. This would reduce the risk of disturbing or destroying animals which are protected under the Animal Welfare Ordinance 2012. It would also be beneficial to include suitable measures to support roosting bats and nesting birds within the development proposal.

We would request that, if this application is approved, an informative note be added to the Information Sheet as follows -

'Your attention is drawn to the Animal Welfare (Guernsey) Ordinance, 2012 and the need to comply with its provisions. The existing building may be used by bats or other wildlife for roosting and nesting. Measures may therefore need to be taken (including consideration of the timing of the works and provision to support wildlife in the long term) to ensure that protected species 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 jamie.hooper@cwgsy.net"

Summary of Issues:

The key issues in this case relate to the:

- Principle of new residential development
- Design, form, scale and massing of the proposed development
- Impact on visual amenity
- Impact on neighbour amenity
- Impact on highway safety

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.

Policy OC1: Housing Outside of the Centres states that new residential development will only be supported in this location where it is through the subdivision of an existing dwelling or the conversion of a redundant building. As the planning application relates to the demolition of one dwelling and its replacement with one dwelling, which is not considered new housing, Policy OC1 is not directly relevant. Replacement dwellings on a one for one basis must be assessed against Policy GP13 of the Island Development Plan, this is irrespective of the size of the existing or proposed replacement dwelling.

ONLINE VERSION

Policy GP13: Householder Development sets out a number of criteria that should be satisfied. The policy also identifies that consideration must be given to the contribution the existing building makes to the character of the area concerned and that a Waste Management Plan should be submitted with a planning application. This must demonstrate how waste associated with the development process is to be minimised, how existing materials on site are to be reused on or off site and how residual waste will be dealt with.

The preceding text to Policy GP13, paragraph 19.14.10 states:

"In considering proposals for the replacement of a dwelling on a one for one basis, consideration will be given to the impact of the new building on the openness of the area rather than a comparison between the impact of the existing dwelling compared with the impact of the new. A replacement dwelling can therefore be larger than the dwelling it is replacing and have a greater impact upon the openness of the area concerned compared with the existing dwelling and will be supported where the Authority is satisfied that the proposed impact is acceptable when considered against all relevant policies of the Island Development Plan."

This provides a supportive position to be taken regarding design but this must be balanced against the contribution the existing building makes to the locality (paragraph 19.14.11). Whilst the existing building is not of a sufficiently high architectural and historic interest to warrant Protected Building status, it is an increasingly rare fisherman's / quarryman's cottage which makes a particular contribution to the character of the area due to its: age; scale – in particular the relationship between it and its surroundings and the neighbour opposite, Tir-na-nog; design and appearance; its materiality; its traditional appearance and detailing.

There are various policy criteria that must be satisfied in order for Policy GP8: Design to be met:

a) Achieve a good standard of architectural design, including the design of necessary infrastructure and facilities; and
b) Demonstrate the most effective and efficient use of land; and
c) Respect the character of the local built environment or the open landscape concerned; and
d) Consider the health and well-being of the occupiers and neighbours of the development by means of providing adequate daylight, sunlight and private/communal open space; and
e) Provide soft and hard landscaping where this reinforces local character and distinctiveness and/or mitigates the impacts of development and/or contributes to more sustainable construction; and
f) Demonstrates accessibility to and within a building for people of all ages and abilities; and
g) Offers flexible and adaptable accommodation that is able to respond to people's needs over time

Policy GP13 clearly sets out that a comparison should not be made between the impacts of the existing dwelling compared with the impact of the new but this has to be balanced against the requirement that the proposed new replacement building is of such a high quality of design that it would enhance the character of the area and make a more positive contribution than the building it is proposed to replace.

As stated in the reasons for refusal of the previous scheme, the bulk and massing was a concern. It proposed a central 45 degree pitched roof element 9.26m in height from ground level. This was enveloped to the north and south by two 6m two storey flat roof wings running almost the full span of the building. The resultant building was very large in plan and in overall scale and massing which was emphasised by the details of the design. Furthermore no details of the heights of the building surrounding the site or cross sections showing the proposal in context were provided.

As part of this revised scheme (the subject of this report), the two storey wings have been reduced in size and set back further within the site from the east elevation of the property. The majority of the flat roofs have been replaced with pitched roofs which will tie into the main property at a central point. On the north and south elevations flat roof corner elements are proposed but these have been appropriately designed and detailed (with parapets) so as to reduce their overall bulk and massing.

This revised proposal has resulted in a reduction in the overall footprint of the building by circa 30% (from 242m^2 to 166m^2). Furthermore an alteration to the angle of the pitch of the roof of the main element of the dwelling (from 45 degrees to 40 degrees) and a reduction in the overall height of the building by 200mm has resulted in the roof pitch of the highest point of the dwelling projecting no higher than the existing chimney stack of the cottage currently situated on the east elevation.

The revised application has clearly set out the size and heights of the building in relation to its surroundings and a table has been included on the drawings which sets out details of the neighbouring properties (namely: Eastview, Noirmont, Tir-na-nog, Le Port Nermont, La Haute Banque and Les Croutes) including their ridge, eaves and base heights above a common datum, together with those for the proposed dwelling so that accurate comparisons can be made. Cross sections of the proposal to show how it will be seen in context with neighbouring properties have also been included on the drawings.

Concerns have been raised by representors on the grounds that the materials to be used are more industrial rather than residential. The materials are modern materials that respect the contemporary design of the building. Furthermore, the finishes of this revised scheme have been amended to reflect those of the nearby new build referred to in the site description section of this report known as ‘Noirmont’. The surrounding area is characterised by properties of mixed styles and design with a mixed palette of materials. To ensure that the development is appropriately finished it is recommended that further details and samples of all external materials to the building are provided.

A garden store is proposed which although situated to the front of the dwelling, it would be end on to the road and viewed in context with the site boundary. Furthermore, the garden store is of limited size and with a lean to roof would, at its maximum measure 2.6m from ground level. Provided that the garden store is appropriately finished (controlled by planning condition) then any harm on the visual character of the surrounding area or immediate street scene would not be so substantial to warrant the refusal of permission.

Overall the design of the revised scheme is much more considered and informed and the information provided demonstrates that a high standard of design that respects the character of the surrounding area has been achieved. It is considered therefore that the resultant building would enhance the character of the area and make a more positive contribution than the building it is proposed to replace. The proposal therefore accords with Policy GP13 and GP8 criterion a) of the Island Development Plan in this respect.

The construction of a two-storey dwelling on this site represents multi-storey development. One of the representations received suggests that the replacement dwelling should be single storey to respect the character of the area. Island Development Plan policies advocate that new/replacement dwellings should comprise multi-storey dwellings from the outset, unless there are overriding planning constraints relating to the site that suggest otherwise. The surrounding area comprises a mixture of dwelling types, style and design and the site is of sufficient size to accommodate a multi-storey dwelling as proposed. For the reasons referred to above the proposed design represents an efficient and effective use of land and therefore complies with criterion b) of Policy GP8.

The site is located in two landscape character zones as designated in the Island Development Plan. The western part of the site falls within the Lowland Hills and the eastern part where development is focused falls within the Northern Slopes/Shore (Mielles). For the reasons discussed above and based on the information provided as part of the application submission the contemporary style of the replacement dwelling on this site respects the character of the local built and open environment concerned in accordance with Policy GP8 criterion c).

Concerns have been raised regarding the potential for overshadowing to the property to the north of the site, on the opposite side of the lane. However, as part of this revised scheme the building has been set further east towards Rue Godfrey than previously proposed. This together with the reduction in the floorspace and the overall bulk and massing (particularly of the northern elevation of the scheme) will reduce any overshadowing that would occur on the neighbouring property to the north. A shadow analysis drawing has also been provided which includes different times of the day (morning, afternoon and early evening) for each equinox. The shadow analysis demonstrates that any loss of light or overshadowing on the neighbouring property to the north as a result of the development proposed would not be so substantial to warrant the refusal of planning permission.

The scheme has been designed with the majority of bedroom accommodation at ground floor and with living accommodation and balconies at first floor level. There are no residential neighbours to the immediate west or south of the dwelling and the first floor north elevation of the development is shown to be blank in order to manage the potential for overlooking and loss of privacy to Tir na nog. The public consultation also raises concerns regarding overlooking from the proposed balconies, however the balcony to the west of the development will be substantially screened from Tir na Nog to the north by the two storey wall of the building and is of limited size. Although part of the balcony serving the living room is situated on the northern elevation of the property, the separation distance between this balcony and the neighbouring property to the north is circa 13m and any views would also be largely screened by the two storey element of the dwelling. At this distance and with limited views it is considered that the proposal would not cause any undue harm on neighbour amenity.

Concerns have been raised regarding the potential for overlooking and loss of privacy to occupiers of dwellings to the east of the site. These properties are separated from the application site by the lane and a field and are over 30m from the application site. The scheme may increase the perception of overlooking however given the separation distance between the development and properties to the east, this would not represent sufficient grounds on which to refuse planning permission.

It is considered that based on the above any harm on the amenities of neighbouring properties as a result of the proposal would not be so substantial to warrant the refusal of planning permission. The proposal therefore complies with criterion (d) of Policy GP8 and the provisions of Policy GP13.

As part of the refusal of the previous scheme, concerns were raised with regard to the fact that a detailed landscaping scheme had not been provided and planting could overshadow the neighbouring property to the north. As part of this revised scheme a detailed landscaping scheme prepared by Tree Dimensions Landscapes Defined has been provided. The landscaping scheme proposes to use individual trees with good structural form along the northern boundary of the site to create a softening effect to the development from the adjoining road, whilst giving consideration to any overshadowing or shading of the neighbouring property in this direction. A total of 10 trees will be situated along the northern boundary of the site comprising a range of species which are considered to be acceptable in this location. Other suitable species of trees are also proposed within the site and the area of hard landscaping has been kept to a minimum. It is recommended that should planning permission be granted further details and samples of all materials used for areas of hardstanding are submitted and approved by the Authority, to ensure that appropriate finishes and materials that complement the surrounding area are used.

The site is capable of accommodating the replacement dwelling proposed and although concerns have been raised regarding the extent of green space/soft

landscaping it is concluded that the scheme does provide adequate external amenity space for future occupiers.

The landscaping scheme provides both soft and hard landscaping that will reinforce the local character of the area. Subject to the recommended conditions the proposal complies with policy GP8 criterion (e) in this respect.

The scheme has been designed to provide the future occupiers of the dwelling with flexible living accommodation and private amenity space which will provide access for all and will enable future occupiers to remain in the property for longer. The scheme therefore addresses Policy GP8 criteria f) and g).

Car parking provision and effects on surrounding highway

Policies IP7 and IP9 relate to private car parking and highway safety, accessibility and capacity respectively.

Policy IP7 and the adopted Supplementary Planning Guidance relating to car parking sets out maximum parking standards. Outside of the Centres off-road parking provision is considered on a case by case basis and in this case the site is located on a road served by the local bus network and without opportunity for on-street parking due to its width. Furthermore the area of hardstanding associated with the dwelling has been kept to a minimum which will limit the amount of private vehicles that can be accommodated.

The scheme does not indicate that any covered and secure cycle storage will be provided although this could be addressed through the provision of storage within the proposed garden store. As such the scheme satisfies Policy IP7 with regard to parking and ways in which future occupiers can utilise alternative modes of transport.

Policy IP9 relates to highway safety and capacity. With regard to capacity, this would not change as a result of the proposed development for the replacement dwelling on a one for one basis.

The property is currently served by pedestrian access onto Les Croutes and a vehicular access on the junction of three roads with poor visibility to the west and south/east. Under this revised scheme the pedestrian access will remain and the existing vehicular access will be closed and relocated onto Les Croutes. Concerns have been raised by representors regarding the relocation of the vehicle access point. However, in the new location the access point will be formed on a relatively straight section of Les Croutes circa 18m from the junction with the three roads to the east. This would represent an improvement over the existing situation with regard to visibility to the east and west. Although a gate is proposed to the new access it has been set sufficient distance (5m) from the road to enable a vehicle to pull clear of the road whilst the gate is operated. Furthermore, Les Croutes is not heavily trafficked and the proposed access arrangement will not result in the

unacceptable disruption to the free flow of traffic with regard to road safety and traffic management. Overall, Policy IP9 has been addressed in this case.

Waste Management Plan and Sustainable Development

The application has been accompanied by a Waste Management Plan which is considered to be satisfactory in this case. The matter can be further controlled by planning condition.

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.

Other matters

A number of matters have been raised during the public consultation process on this application including concerns regarding loss of private views, the devaluation of property and potential damage that may arise to neighbouring properties due to the construction of the development, which are not material planning considerations and as such cannot be taken into account during assessment of the application.

One of the representations received relates to the fact that the area is important to Guernsey heritage as Tir Na Nog was the birth place and childhood home of Denys Corbet (poet and painter). However, the site is not situated within a Conservation Area, nor is the application site or Tir Na Nog or any of the other buildings surrounding the site protected. The proposal would therefore not in planning terms negatively affect the heritage of Guernsey.

Conclusion

It is concluded that the application accords with all relevant policies in the Island Development Plan and it is therefore recommended that for the reasons set out above the application is approved.

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 which could be relevant. These include; the appropriateness of the development in relation to its surroundings in terms of design, layout, scale, siting and materials; the likely effect on the character and amenity of the locality; any possible fall-back position by way of extant planning permissions or exempt development; the likely effect on the reasonable enjoyment of neighbouring properties. These issues where relevant are considered above.

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.

ONLINE VERSION

Date: 17/03/2021

ONLINE VERSION